IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.1082 of 2025

Kunal Pankaj, aged about 40 years, S/o Late Dr. Nand Kishir Jha, resident of Shiv Pahar (Pankaj Bhawan), P.O. Dumka Sub, P.S. Dumka T, District Dumka, State Jharkhand **…. …. Petitioner**

Versus

Snigdha Jha, W/o Kunak Pankaj, D/o Late Kanchan Jha, present address, R/o (Pankaj Bhawan), P.O. Dumka Sub, P.S. Dumka T, District Dumka, State Jharkhand. Permanent Address Resident of Madhupur, Kushmaha, P.O. & P.S. Madhupur, District Deoghar, Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner : Mr. Ashish Kumar, Advocate
For the Opposite Party :

02/Dated: 10th September, 2026

I.A. No.12029 of 2025

1. The instant interlocutory application has been filed for condonation of delay of 5 days which has occurred in filing the present Civil Miscellaneous Petition.

2. Learned counsel for the petitioner has submitted that the delay of 5 days in filing the instant Civil Miscellaneous Petition may be condoned so that the matter be heard and decided on merits.

3. Considering the reasons assigned in the instant interlocutory application, particularly at paragraph No.4 thereof, the delay of 5 days in filing the instant Civil Miscellaneous Petition, is hereby, condoned.

4. Accordingly, the present interlocutory application stands allowed, as such, disposed of.

C.M.P. No.1082 of 2025

1. The present Civil Miscellaneous Petition has been filed for restoration of First Appeal being F.A. (Filing) No.687 of 2025 which stood dismissed for default on 31.07.2025 due to non-compliance of the peremptory order dated 18.06.2025.

2. The reason assigned in the instant petition is that due to inadvertence and negligence on the part of the previous Advocate on record, F.A. (Filing) No.687 of 2025 stood dismissed for default.

3. It has been submitted that the instant Civil Miscellaneous Petition has been filed for restoration of First Appeal being F.A. (Filing) No.687 of 2025 and if the same will not be restored, the petitioner will suffer irreparable loss and injury.

4. This Court, after having heard the learned counsel for the petitioner, considering the submissions advanced by him and the reasons assigned in the instant Civil Miscellaneous Petition, is of the view that the instant petition is to be allowed otherwise the petitioner will suffer irreparable loss and injury since the matter would not be decided on merit.

5. Considering the same, this Court deems it fit and proper to restore the First Appeal being F.A. (Filing) No.687 of 2025 which stood dismissed on 31.07.2025 due to non-compliance of the peremptory order dated 18.06.2025, to its original file.

6. In view thereof, the First Appeal being F.A. (Filing) No.687 of 2025 is restored to its original file subject to removal of defect(s) within a period of two weeks from today.

7. Accordingly, the instant Civil Miscellaneous Petition stands disposed of.

(Sujit Narayan Prasad, J.)

(Rajesh Kumar, J.)

10th September, 2026
Madhav/
Uploaded on:14/09/2026