IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.26 of 2026
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1. Md. Jamil @ Md. Jamil Ansari, S/o Late Md. Shafi, aged about 52 years, residents of Choithai Khuli, P.O. & P.S.-Jharia, District-Dhanbad.
2. Md. Sakil S/o Late Md. Shafi, aged about 48 years, residents of Haddi Karkhana, Azad Nagar, Bhuli, P.O.-7, P.S.-Bhuli, District-Dhanbad.
3. Md. Aqeel @ Md. Aqueel Ansari, S/o Late Md. Shafi, aged about 37 years, residents of Choithai Khuli, P.O. & P.S.-Jharia, District-Dhanbad.
4. Umera Khatoon W/o Parvez, aged about 50 years, residents of Bhandaridih, P.O., P.S. & District-Giridih.
5. Firdous @ Alia Firdaus W/o Md. Sultan, aged about 33 years, residents of Near Masid, Shihlibari, P.O. & P.S.-Kumardhubi, District-Dhanbad.
6. Nazma Akhtari, W/o Abdul Rahim Ansari, D/o Late Abdul Mazid Ansari, aged about 82 years, residents of Belaghati, Jhumri Tilaia, P.O. & P.S.-Jhumri Tilaia, District-Koderma.
7. Khalid Nasim Ansari @ Md. Khalid Nasim, aged about 48 years,
8. Rashid Feroz Ansari @ Md. Rashid Firoz, aged about 44 years,
   Sr. No.7 & 8 are sons of Late Abdul Guffar @ Late Abdul Gaffar,
9. Sagira Nishad @ Sagira Nishat, aged about 50 years,
10. Sofia Sarbat @ Sofia Sarwat, aged about 31 years,
    S. No.9 & 10 are daughters of Late Abdul Gaffar,
    S. No.7 to 10 are residents of Choithaikulhi, P.O. & P.S.-Jharia, District-Dhanbad. … Petitioners

Versus

1. Md. Tayab Ansari S/o Late Abdul Mazid Ansari, residents of Bhuli More, Naya Bazar, P.O. & P.S.-Bankmore, District-Dhanbad.
2. Md. Shamim Ahmad, S/o Sheikh Yar Ali, C/o Cresent International School, Knowledge Village-Bario, P.O.-Sarkardih, P.S.-Govindpur, District-Dhanbad.
3. Al Iqra Teachers Training College, At-Village Bario, P.O.-Sarkardih, P.S.-Govindpur, District-Dhanbad, represented by its Secretary Saifulla Khalid, S/o Shamim Ahmad, residents of Hafiz Colony, Nayabazar, P.O. & P.S.-Bank More, District-Dhanbad.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Jitesh Kumar, Advocate
For the OP 1 to 3 : Mr. Aman Kedia, Advocate

Order No:-04 Dated:-06-11-2026

Heard the parties.

This civil miscellaneous petition has been filed by the petitioners with the prayer for restoration of Second Appeal No.117 of 2023 to its original file; which stood dismissed for non-compliance of the order dated 05.09.2024.

It is submitted by the learned counsel for the petitioners that Second Appeal No.117 of 2023 stood dismissed for non-compliance of the order dated 05.09.2024 for removing the defects pointed out by the stamp reporter peremptorily within four weeks. It is next submitted that due to inadvertent mistake on the part of the Advocate's Clerk, the learned counsel for the petitioners could not remove the defects within the stipulated time; which resulted in dismissal of the said Second Appeal No.117 of 2023 for non-compliance of the order dated 05.09.2024**.** It is next submitted that non-compliance of the said order dated 05.09.2024 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said Second Appeal No.117 of 2023 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Second Appeal No.117 of 2023 be restored to its original file.

Considering the aforesaid submission of the learned counsel for the petitioners and the facts and circumstances of this case, Second Appeal No.117 of 2023 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list Second Appeal No.117 of 2023 before the concerned Bench after a week.

This Civil Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

06/11/2026
Abhiraj/