IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.437 of 2025
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1. Bisli Devi W/o Late Dhaneshwar Ganjhu, aged about 68 years,
2. Pritam Ganjhu S/o Late Dhaneshwar Ganjhu, aged about 43 years,
3. Jamuna Ganjhu S/o Late Dhaneshwar Ganjhu, aged about 34 years,
4. Ritu Ganjhu, S/o Late Dhaneshwar Gannhu, aged about 37 years, Petitioner No.1 to 4 are Resident of Village-Bongadaag, P.O.-Shila, P.S.-Simariya, Dist.Chatra.
5. Tetri Devi, D/o Late Dhaneshwar Ganjhu W/o Bigan Ganjhu, aged about 36 years, resident of Village-Lagidaag, P.O.-Pagar, P.O.-Keredari, Dist.-Hazaribagh.
6. Savitri Devi D/o Late Dhaneshwar Ganjhu W/o Sohar Ganjhu, aged about 35 years, Resident of Village-Gali, P.O.-Badan, P.S.-Barkagaon, Dist.-Hazaribagh.
7. Kaushalya Devi, D/o Late Dhaneshwar Ganjhu, W/o Mahendra Ganjhu, aged about 30 years, Resident of Village-Korcha, P.O.-Brahmne, P.S. & Dist-Chatra.
8. Sarju Ganjhu S/o Late Rudha Ganjhu, aged about 45 years,
9. Tohan Ganjhu s/o Late Rudha Ganjhu, aged about 45 years,
10. Most Sohwa Devi, W/o Late Moti Ganjhu, aged about 67 years,
11. Suker Ganjhu, S/o Late Moti Ganjhu, aged about 42 years,
12. Narayan Ganjhu S/o Late Moti Ganjhu, aged about 36 years,

Petitioner No.8 to 12 are resident of Village-Bongadaag, P.O.-Shilza, P.S.-Shimariya, Dist-Chatra.

… Petitioners

Versus

1. Smt. Bandhani Devi W/o Sri Sohan Oraon, aged about 55 years,
2. Sri Sohan Oraon S/o Late Charwa Oraon, aged about 70 years,

Both resident of Village-Bongadaag, P.O.-Shilza, P.S.-Shimariya, Dist.-Chatra,

3. Madan Mohan Singh, S/o Late Jagdish Singh, aged about 70 years, Resident of Village-Shila Ichak, P.O.-Shilza, P.S.-Shimariya, Dist.-Chatra.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Lakhan Chandra Roy, Advocate
For the OP 1 & 2 : Mr. Santosh Kumar, Advocate
For the OP 3 : Mr. Rajesh Bhushan, 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 S.A. No.14 of 2022 to its original file which stood dismissed for non-compliance of peremptory order dated 10.07.2023.

It is submitted by the learned counsel for the petitioners that S.A. No.14 of 2022 stood dismissed for non-compliance of peremptory order dated 10.07.2023 for removing the defects peremptorily within eight weeks. It is next submitted that due to inadvertence on the part of the Advocate's Clerk, the petitioners could not remove the said defects within the stipulated time; which resulted in dismissal of the said S.A. No.14 of 2022 for non-compliance of peremptory order dated 10.07.2023. It is next submitted that non-compliance of peremptory order dated 10.07.2023 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said S.A. No.14 of 2022 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the S.A. No.14 of 2022 be restored to its original file.

Learned counsel for the opposite parties vehemently opposes the prayer of the petitioners for restoration of the said S.A. No.14 of 2022 and submits that the opposite parties will unnecessarily be harassed if the same is restored to its original file, hence, the opposite parties be compensated adequately.

Considering the aforesaid submission of the learned counsel for the petitioners, S.A. No.14 of 2022 is directed to be restored to its original file at the same stage at which it was before its dismissal subject to payment of cost of Rs.5,000/- by the petitioners to the opposite parties through their counsel appearing in the record and to serve the copy of the memo of the S.A. No.14 of 2022 upon the opposite parties within six weeks from the date of this order.

Registry is directed to list S.A. No.14 of 2022 before the concerned Bench after six weeks only if the petitioners file the proof of payment of the cost of Rs.5,000/- to the opposite parties through his counsel appearing in the record within six weeks from the date of this

order failing which this conditional order shall not be given effect to and S.A. No.14 of 2022 shall stand dismissed.

This civil miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

06/11/2026
Abhiraj/