(2026:JHHC:27491)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P. No. 1397 of 2023

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1. Chinta Mahto (61 Yrs) D/o Late Subodh Mahato, W/o Sri Sudhakar Mahato, R/o Village Pargama, Tola Bhakrugarha, P.O. Murhu, P.S. Nimdih, District –Seraikella Kharswan
2. Haladhar Mahato (58 yrs), S/o Late Subodh Mahato
3. Gadadhar Mahato (48 years), S/o Late Subodh Mahato
4. Chandra Mohan Mahato (72 yrs), S/o Late Purna Chandra Mahato

All Sl. 2 to 4, R/o village Pargama, P.O. Murhu, P.S. Nimdih, District –Singhbhum West Now Seraikella –Kharsawan.

.... …. Petitioners

Versus

1. The State of Bihar (Now Jharkhand)
2. Deleted

3(a) Basu Mahto, S/o Late Kamla Mahtain and Late Dinabandhu Mahato

3(b) Nidubala Mahato, D/o Late Kamla Mahtain @ Late Dinabandhu Mahato

3(c) Reshmi Mahato, D/o Late Kamla Mahtain & Late Dinabandhu Mahato

3(d) Munkabala Mahato, d/o Late Kamla Mahtain & Late Dinabandhu Mahato

All r/o Village Pathrakhun, P.O. Gourangakocha, P.S. Ichagarh, District –Seraikella-Kharsawan.

4(a) Budheswar Mahato, S/o Late Amla Mahtain & Late Sri Ram Mahato

4(b) Parmeshwar Mahato, S/o Late Amla Mahtain & Late Sri Ram Mahato

4(c) China Mahato, D/o Late Amla Mahtain & Late Sri Ram Mahato

4(d) Bharati Mahato, D/o Late Amla Mahtain & Late Sri Ram Mahato

All r/o village –Khudilong, P.O. Janum, P.S. Nimdih, District – Seraikella-Kharsawan

5(a) Parmeshwar Mahato, S/o Late Sindhu Mahtain & Late Dhaniram Mahato, R/o Village Bandabir, P.O. Kukru, P.S. Tiruldih, District –Seraikella-Kharsawan.

.... Opp. Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ahalya Mahato, Advocate
: Mr. Harendra Kr. Mahato, Advocate
: Ms. Jyotsna Mahato, Advocate

Order No.13 Dated- 11.09.2026

Heard the parties.

This civil miscellaneous petition has been filed at the instance of the petitioners for restoration of S.A. No. 43 of 1993(R) to its original file.

No one turns up on behalf of the opposite parties in-spite of repeated calls.

Learned counsel for the petitioners submits that S.A. No. 43 of 1993(R) was dismissed for non-compliance of the peremptory order of this Court dated 23.08.2022 whereby prayer for time was allowed to the appellants subject to deposit of Rs.1,000/- with the Jharkhand State Legal Services Authority (JHALSA) within four weeks. It is next submitted by the learned counsel for the petitioners that information was given to the appellants through the son of the appellant/petitioner no.4 to deposit the amount of Rs.1000/- as per the order dated 23.08.2022 but the same could not be deposited within the stipulated time, resulting in dismissal of the said S.A. No. 43 of 1993(R). It is next submitted that the petitioners have very good grounds to agitate in the said S.A. No. 43 of 1993(R) and unless S.A. No. 43 of 1993(R) is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that S.A. No. 43 of 1993(R) be restored to its original file.

Considering the aforesaid submission of the learned counsel for the petitioners, S.A. No. 43 of 1993(R) is restored to its original file to the stage at which, it was before its dismissal.

List S.A. No. 43 of 1993(R) under the appropriate heading after a week before the appropriate Bench.

(Anil Kumar Choudhary, J.)

11.09.2026
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