

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 197 of 2020

1. Baijnath Mahto, aged about 45 years
 2. Beni Lal Mahto, aged about 52 years
 3. Kariya Mahto@Ram Prasad Mahto, aged about 42 years
 4. Durga Mahto, aged about 38 years
 All are sons of Late Baleshwar Mahto, resident of Village-Manatu,
 P.O. Kamre, P.S.-Kanke, Dist.-Ranchi Petitioners
- Versus
1. Maleshwar Mahto, aged about 45 years, S/o Late Rambrit Mahto
 2. Siban Devi, aged about 47, years D/o Late Rambrit Mahto
 3. Tijwa Devi, aged about 43 years, D/o Late Rambrit Mahto
 4. Sunita Devi, aged about 41 years, W/o Late Rambrit Mahto
 5. Mangal Mahto, aged about 45 years, son of Late Jagdish Mahto
 - 6(a) Panna Lal Mahto, S/o of Jai Nath Matho
 - 6(b) Prabha Kumari, D/o of Jai Nath Matho
 Both resident of Village-Manatu, P.O. and P.S.-Kanke, Dist.-Ranchi
 - 7(a) Nagendra Mahto
 - 7(b) Birendra Mahto
 Both S/o of Late Sai Nath Matho
 - 7(c) Sanjoti Devi, wife of Late Jaleshwar Mahto
 All resident of Village-Manatu, P.O. and P.S.-Kanke, Dist.-Ranchi
 8. Jitendra Mahto, aged about 36 years
 - 8(a) Sikander Mahto, aged about 34 years
 - 8 (b) Upendra Mahto aged about 32 years
 All Sons of Baijnath Mahto, All are resident of Village Manatu, P.O. +
 P.S.-Kanke, District-Ranchi
 - 8(c) Bitaliya Devi aged about 40 years, Daughter of Baijnath Mahto, Wife of
 Bisnath Mahto at Chandra Toli Village Narayan Soso, P.O +P.S Angara
 Dist. Ranchi
 - 8(d) Sheela Devi aged about 38 yers, Daughter of Baijnath Mahto, Wife of
 Ravinath Mahto at Rana Toli Village- Tatisilwe, P.O. Tatisilwe P.S Angara
 Dist. Ranchi
 - 8(e) Babli Devi, aged about 30 years, Daughter of Baijnath Mahto, Wife of
 Jaglal Mahto, Resident of Village –Salan, P.O Childag, P.S Angara
 Dist. Ranchi
 9. Gajendra Mahto, aged about 57 years, son of Late Latu Mahto
 10. Hari Kisto Mahto, aged about 40 years
 - 11 Raj Kishore Mahto, aged about 37 years
 Both are sons of Late Tukan Mahto
 12. Lalmani Devi, aged about 68 years, Wife of Late Tukan Mahto
 All 9 to 12 are resident of Village-Manatu, P.O. + P.S.-Kanke,
 District-Ranchi
 14. Jayanti Devi aged about 58 yrs Daughter of Late Dhaneshwar Mahto
 and wife of Shri Sita Ram Mahto, Resident of Village-Tundal, P.O. + P.S.-
 Ratu, District-Ranchi
 15. Prema Devi, aged about 70 years, Wife of Late Baleshwar Mahto,
 resident of Village-Manatu, P.O. and P.S.-Kanke, District-Ranchi,
 Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Umesh Kumar Choubey, Advocate
 For the O.P. Nos.8(b), 9&10 : Mr. Suraj Verma, Advocate
 For the O.P. Nos.6(a), 6(b), 7(a),7(b) &7(c): Mr. Anjani Kumar, Advocate

13/08.05.2026 I.A. No.2875 of 2024

I.A. No.2875 of 2024 has been filed for condoning the delay of 61 days in filing of the present civil miscellaneous petition which has been filed for restoration of S.A. No.488 of 2016.

Learned counsel appearing on behalf of the petitioners submits that due to ailment, restoration application could not be filed within stipulated time. On these grounds he submits that the delay may be kindly be condoned.

Learned counsel for the opposite parties has got no serious objection.

In view of reasons assigned in the petition, the delay is condoned.

I.A. No.2875 of 2024 is disposed of

I.A. No.14307 of 2025

In the light of the order dated 25.04.2025, notice on opposite party nos.1 to 4, 5, 9, 8, 8(a), 8(b), 8(c), 8(e), 10, 11, 13, 14 and 15 have already been validly served.

By order dated 21.11.2025, notices on legal heirs of opposite party nos.6 and 7 have been issued. In pursuant to that, learned counsel, Mr. Anjani Kumar has appeared on behalf of legal heirs of 6 and 7. Opposite Party No.12 has left for his heavenly abode and his legal heir and successor is already there as opposite party no.9. However, legal heirs of 6(a) and 6(b), 7(a) to 7(c), 8(b), 9 and 10 have appeared and rest have chosen not to appear. Since notices on legal heirs and successors of opposite party nos.6 and 7 have already been effected and pursuant to that, learned counsel, Mr. Anjani Kumar has appeared as such I.A. No.14307 of 2025 meant for substitution of legal heirs of opposite party nos.6, 7 and 12, is allowed and disposed of.

In the said I.A. it has been disclosed that the legal heirs of opposite party no.12 is already there as opposite party no.9 and learned counsel for the petitioners submits that he may kindly be allowed to delete the name of opposite party no.12.

In view of such submission, learned counsel will delete opposite party no.12 and will make necessary correction in course of day.

In view of above, S.A. No.488 of 2016 is restored to its original position.

This petition is disposed of. Pending I.A. if any, stands disposed of.

(Sanjay Kumar Dwivedi, J.)