

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C) No. 5984 of 2001

Anand Kumar Baraik & Anr. Petitioners
Versus
The State of Jharkhand & Ors. Respondents

With
W. P. (C) No. 5887 of 2002

Deopal Singh Petitioner
Versus
The State of Jharkhand & Ors. Respondents

With
C. M. P. No. 563 of 2023

Deopal Singh Petitioner
Versus
The State of Jharkhand & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner : Mr. P.P.N. Roy, Sr. Advocate
Mr. Ram Prakash Singh, Advocate
For the Respondents : Mr. B.V. Kumar, Advocate

Oral Order

25 / Dated : 19.02.2024

C. M. P. No. 563 of 2023

Instant civil misc. petition has been filed for restoration of the writ petition which has been dismissed by the Co-ordinate Bench of this Court for non-compliance of the order dated 28.03.2023.

It is submitted by learned counsel for the petitioner that vide order dated 28.03.2023 passed in I.A. No. 1422 of 2003 of W.P.(C) No. 5887 of 2002, the petitioner was directed to serve notice on the proposed heirs by speed post but the same could not be served within time. However, the petitioner filed the registered post for service of notice on the proposed heirs. Under the circumstance, W.P.(C) No. 5887 of 2002 got dismissed as against respondent no. 6.

It is submitted by learned counsel for the petitioner that the notice was served by registered post which was submitted inadvertently and not deliberately.

Considering the grounds taken, C.M.P. No. 563 of 2023 for restoration of W.P.(C) No. 5887 of 2002, is allowed.

Petitioner is permitted to serve notice on the proposed legal heirs in compliance to the earlier order by registered post in which the requisite has already been filed.

W. P. (C) Nos. 5984 of 2001 & 5887 of 2002

Put up these cases on 08.04.2024.

(Gautam Kumar Choudhary, J.)

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