

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 218 of 2020

Madho Lohar, aged about 64 years, S/o Late Bulaki Lohar, R/o Village-
Morabadi, P.O. Ranchi University, P.S. Bariatu, District- Ranchi

... Petitioner

-Versus-

1. Smt. Geeta Devi, D/o Late Sukhram Lohar, W/o Sri Ashit Kumar Ghosh, R/o Village- Gari Hotwar, P.O. Sadar, P.S. Sadar, District- Ranchi
2. Bingaon Loharin @ Bahiri (Deleted)
3. Sitambar Lohar, S/o Late Rungtu Lohar
4. Kajru Lohar, S/o Late Rungtu Lohar
5. Chotu Lohar, S/o Late Rungtu Lohar
All 3 to 5 are R/o Karma Niwas, Dr. Bhosle Lane, Harihar Singh Road, Morabadi, P.O. Morabadi, (Ranchi University), P.S. Bariatu, District- Ranchi
6. Rudan Devi, W/o Sri Atu Lohar, R/o Kanke, P.O. Kanke, P.S. Kanke, District- Ranchi
7. Bhotha Lohar
8. Raj Kishore Lohar
9. Sheo Narayan Lohar
All 7 to 9 are sons of Late Karma Lohar, Resident of Village- Morabadi, P.O. Ranchi University, P.S. Bariatu, District- Ranchi
10. Dilip Oraon, S/o not known, Resident of Village- Morabadi, P.O. Ranchi University, P.S. Bariatu, District- Ranchi
11. The Deputy Commissioner, Ranchi, P.O. Ranchi, P.S. Ranchi, District- Ranchi

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	: Mr. Rajiv Kumar, Advocate Mr. Ajay Kumar Singh, Advocate
For O.P. No.1	: Mr. Shambhu Nath Sharma, Advocate
For O.P. Nos.3-10	: Mr. Avilash Kumar, Advocate
For O.P. No.11	: Mr. Sanjay Kumar Tiwari, S.C.-I

11/17.04.2026 I.A. No.3015 of 2020 has been filed for condonation of delay of 4 months in filing the present C.M.P.

2. Notices have been issued upon opposite parties and pursuant to that, Mr. Shambhu Nath Sharma, learned counsel has appeared on behalf of opposite party no.1, Mr. Avilash Kumar, learned counsel has appeared on behalf of opposite party nos. 3 to 10 and Mr. Sanjay Kumar Tiwari, learned S.C.-I has appeared on behalf of the State-opposite party no.11.

3. Learned counsel appearing for the petitioner submits that vide order dated 18.10.2019, notices were directed to be issued upon the respondents

in limitation matter in Second Appeal No.283 of 2016 and that order was peremptory. He further submits that requisites of notice have been filed for some of the respondents, however, inadvertently requisites have not been filed for legal heirs of respondent no.2 and in view of that, the said second appeal has been dismissed for default due to peremptory order.

4. Learned counsel appearing for opposite party no.1 opposed the prayer and submits that there is delay of 4 months in filing the present C.M.P. and in view of that, the delay may not be condoned.

5. Learned counsel appearing for opposite party nos. 3 to 10 and learned counsel for opposite party no.11 have got no objection if the delay is condoned.

6. Considering that notices have been directed to be issued in the limitation matter in the said second appeal and requisites of notice have also been filed for some of the respondents, however, inadvertently requisites of notice have not been filed for legal heirs of respondent no.2 and due to peremptory order, the said second appeal has been dismissed for default. There is delay of 4 months in filing the present C.M.P.

7. In view of the above, the Court finds that sufficient ground is made to condone the delay and, as such, the delay of 4 months in filing the present C.M.P. is, hereby, condoned.

8. Accordingly, I.A. No.3015 of 2020 is allowed and disposed of.

9. Let this matter appear under the heading for 'Admission'.

(Sanjay Kumar Dwivedi, J.)

Dated: 17th April, 2026
Ajay/