

(2026:JHHC:20534)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1266 of 2026

Dilip Gopalika @ Dilip Kumar Gopalka @ Dilip Gopalka, S/o
Shyam Sunder Gopalika, aged about 57 years, R/o Ashok Nagar
(Basera Complex), P.O. & P.S.-Bank More, District-Dhanbad.

... Petitioner

Versus

1. The State of Jharkhand
2. Jogeshwar Mahatha, S/o not Known to the petitioner, R/o Urban Forest Area, Dhanbad Division, P.O. & P.S.-Dhanbad, District-Dhanbad.

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Lukesh Kumar, Advocate

For the State : Mr. Devesh Krishna, SC Mines-III

Order No:-03 Dated:-10-07-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No.2498 of 2021 to its original file which stood dismissed for non-compliance of peremptory order dated 24.09.2025.

It is submitted by the learned counsel for the petitioner that Cr.M.P. No.2498 of 2021 stood dismissed for non-compliance of peremptory order dated 24.09.2025 for depositing the payment of Rs.2,000/- by the petitioner with the Advocate's Sports Club peremptorily within three weeks. It is next submitted that due to mistake on the part of advocate clerk, the petitioner could not deposit the said amount within the stipulated time; which resulted in dismissal of the said Cr.M.P. No.2498 of 2021 for non-compliance of peremptory order dated 24.09.2025. It is next submitted that non-compliance of peremptory order dated 24.09.2025 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No.2498 of 2021 and unless the same is restored to its original file, the petitioner will be highly

prejudiced. Hence, it is submitted that the Cr.M.P. No.2498 of 2021 be restored to its original file.

Learned counsel appearing for the State has not raised any serious objection.

Considering the aforesaid submission of the learned counsel for the petitioner and the facts of this case, Cr.M.P. No.2498 of 2021 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list Cr.M.P. No.2498 of 2021 before the concerned Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

10/07/2026
Abhiraj/