

IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P. No. 759 of 2025

Rajendra Mahto	...	Petitioner
	Versus	
Biren Mahto & Ors.	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Aditya Banerjee, Advocate
For Opp. Parties : Mr. Ramchander Sahu, Advocate
: Mr. Bhola N. Rajak, Advocate

Order No.03 Dated- 20.03.2026

I.A. No.10554 of 2025

Heard the parties.

No one turns up on behalf of the opposite party nos.4, 5 and 6 in-spite of repeated calls though notice has validly been served upon them.

This interlocutory application has been filed with the prayer to condone the delay of 166 days in filing this civil miscellaneous petition.

It is submitted by the learned counsel for the petitioner that on 09.12.2024 the appellant sought for an adjournment by the counsel for the appellant in S.A. No. 315 of 2018, the same was allowed subject to deposit of Rs.2,000/- with JHALSA within four weeks, failing which, it was ordered that S.A. No. 315 of 2018 be dismissed. It is next submitted that due to inadvertence the said amount of Rs.2,000/- could not be deposited within the stipulated time hence, S.A. No. 315 of 2018 stood dismissed on 06.01.2025. It is next submitted that in the meanwhile, the said amount of Rs.2,000/- has been deposited with JHALSA on 18.07.2025 but delay has already occurred. It is also submitted that the delay was neither deliberate nor intentional. It is further submitted that the petitioner has very good grounds to agitate in C.M.P. No. 759 of 2025 and unless the delay in filing this civil miscellaneous petition is condoned, the petitioners will be highly prejudiced.

Considering the aforesaid facts, the delay of 166 days in filing this instant civil miscellaneous petition is condoned.

This interlocutory application stands disposed of accordingly.

(Anil Kumar Choudhary, J.)

C.M.P. No. 759 of 2025

Heard the parties.

Issue notice to opposite party nos. 4, 5 and 6 by speed post as well as under process of the court for which requisites etc. must be filed within three weeks by the petitioner, failing which, this civil miscellaneous petition shall stand dismissed without further reference to the Bench.

Notice is made returnable within six weeks.

In case, the requisites are filed, list this civil miscellaneous petition after receipt of the service report of the notice issued to the opposite party nos. 4, 5 and 6.

(Anil Kumar Choudhary, J.)

20.03.2026
Gunjan-