

(2026:JHHC:7958)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P. No. 1091 of 2025

Pradeep Kumar Verma, aged about 64 years, son of late
Ishwar Lal Verma, resident of Holding No.1, Kagalnagar,
Sonari, P.O.-Sonari, P.S.-Sonari, Town-Jamshedpur, Dist.-East
Singhbhum ... Petitioner

Versus

1. Sukumar Mandal, son of late Gobardhan Mandal
2. Basanti Mandal, wife of late Gobardhan Mandal,
Both resident of H. No. D-120, Khuntadih, Sonari, P.O. &
P.S.-Sonari, Town-Jamshedpur, Dist.-East Singhbhum
... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Indrajit Sinha, Advocate
	: Mr. Rishav Kumar, Advocate
For Opp. Parties	: Ms. Moushmi Chatterjee, Advocate
	: Mr. Apurv, Advocate

Order No.04 Dated- 20.03.2026

Heard the parties.

It is submitted by the learned counsel for the petitioner that this civil miscellaneous petition has been filed at the instance of the petitioner for readmission of Second Appeal No. 559 of 2017 to its original file to the stage at which it was on 18.10.2024 for non-compliance of peremptory order dated 04.10.2024 by which date the appeal was dismissed.

It is next submitted by the learned counsel for the petitioner that on 04.10.2024 peremptory time was allowed for two weeks subject to deposit of Rs.2,000/- by the petitioner with JHALSA and the said Rs.2,000/- with JHALSA was deposited on 21.10.2024 but by that time the period of two weeks was over hence, the appeal was dismissed. It is next submitted that the same happened because of miscommunication and misunderstanding regarding the time period of depositing the said amount of Rs.2,000/- and when the petitioner contacted his

counsel in August, 2025, he came to know about the dismissal of S.A. No. 559 of 2017. It is next submitted that the petitioner herein has very good grounds to agitate in the said S.A. No. 559 of 2017 and unless S.A. No. 559 of 2017 is readmitted to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that S.A. No. 559 of 2017 be readmitted to its original file.

Learned counsel for the opposite parties on the other hand opposes the prayer and submits that since a decree passed has already been executed, S.A. No. 559 of 2017 has become infructuous. It is next submitted that the petitioner is deliberately delaying the matter and harassing the opposite parties by lingering the same. Hence, the opposite parties be adequately compensated with costs.

Considering the facts and circumstances of this case, S.A. No. 559 of 2017 is readmitted to its original file to the stage at which, it was before its dismissal on 04.10.2024 subject to payment of costs of Rs.10,000/- by the petitioner to the opposite parties through the counsel appearing in the record, within a week, failing which, this conditional order shall not be given effect to and this civil miscellaneous petition shall stand dismissed without further reference to the Bench.

In case, the petitioners file the proof of payment of costs of Rs.10,000/- by the petitioner to the opposite parties through the counsel appearing in the record, within a week, list S.A. No. 559 of 2017 under the appropriate heading after a week before the appropriate Bench.

(Anil Kumar Choudhary, J.)

20.03.2026
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