

(2025:JHHC:19020)
IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 3478 of 2024

Lucky Singh & Ors.	...	Petitioners
Versus		
The State of Jharkhand & Anr.	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	: Mr. Gopal K. Sinha, Advocate
For the State	: Mr. Shailendra Kr. Tiwari, Spl. P.P.
For the O.P. No.2	: Mr. Avnish Prakhar, Advocate

Order No.03 Dated- 11.07.2025

Heard the parties.

This criminal miscellaneous petition has been filed at the instance of the petitioners for restoration of Cr.M.P. No. 2526 of 2024 to its original file.

Learned counsel for the petitioners submits that Cr.M.P. No. 2526 of 2024 was dismissed for non-compliance of peremptory order of this Court to file requisites for service of notice upon the opposite party no.2. It is next submitted that due to negligence on the part of the Advocate's Clerk, the said peremptory order could not be complied within the stipulated time and the same resulted in dismissal of Cr.M.P. No. 2526 of 2024. It is further submitted that the petitioners have very good grounds to agitate in this Cr.M.P. No. 2526 of 2024 and unless Cr.M.P. No. 2526 of 2024 is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 2526 of 2024 be restored to its original file.

Learned counsel for the opposite party no.2 submits that the petitioners are deliberately delaying the matter and harassing the opposite party no.2 by lingering the same. Hence, the opposite party no.2 be adequately compensated with costs.

Considering the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No. 2526 of 2024 be restored to its original file to the stage at which, it was before its dismissal subject

to payment of costs of Rs.5,000/- by the petitioners to the opposite party no.2 through the learned counsel appearing in the record within three weeks, failing which, this conditional order shall not be given effect to and this criminal miscellaneous petition shall stand dismissed without further reference to the Bench.

In case, the petitioners file the proof of payment of costs of Rs.5,000/- by the petitioners to the opposite party no.2 through the learned counsel appearing in the record within three weeks, list Cr.M.P. No. 2526 of 2024 under the appropriate heading after a week before the appropriate Bench.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/