



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous Application No. 161/2024

Sushil Kumar Sharma S/o Shri Kailash Chandra Sharma, Aged About 58 Years, R/o 89, Vijay Badi Path No. 3, Dher Ka Balaji, Sikar Road, Jaipur, At Present Gram Motu Ka Bas, Tehsil Amer, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through P.p.
2. Ashwani Kumar Sharma S/o Shri Rajendra Prasad Sharma, R/o Plot No. 89, Vijay Badi Pat No. 3, Dher Ka Balaji, Sikar Road, Jaipur.
3. Smt. Manoj Sharma W/o Shri Ashwani Kumar Sharma, R/o Plot No. 89, Vijay Badi Path No. 3, Dher Ka Balaji, Sikar Road, Jaipur
4. Kailash Chandra Sharma S/o Shri Hoshiyar Mal, R/o 17, Ganesh Nagar-Iii, Murlipura Scheme, Jaipur.
5. Harish Kumar S/o Chandrabhan, Resident Of Plot No. 28, Godra Colony, Khatipura Road, Jhotwara, Jaipur Sanchalak K.k. Properties, Murlipura, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Mohan Lal Goyal
For Respondent(s)	:	Mr. Vivek Sharma, PP

HON'BLE MR. JUSTICE ANAND SHARMA

Order

07/11/2025

1. This application has been filed for recalling the order dated 12.09.2023, whereby peremptory order was passed to take necessary steps for service upon respondents No.2 & 3 and in non-compliance thereof, formal order of dismissal of the petition has been recorded by the Registrar on 07.10.2023.



2. It is submitted by learned counsel for the petitioner that on account of bona fide reasons, nobody could appear on behalf of the petitioner on 12.09.2023, therefore, the fact of passing peremptory order was not in his knowledge. However, learned counsel undertakes to make the necessary compliance within a period of seven days from today as the petitioner is keen to pursue his petition on merits.

3. For the reasons mentioned in the application, the same is hereby allowed. Orders dated 12.09.2023 and 07.10.2023 are hereby recalled. S.B. Criminal Miscellaneous Petition No.2393/2016 is hereby restored to its original number subject to making compliance of order dated 12.09.2023 within a period of seven days from today.

(ANAND SHARMA),J