

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.901 of 2019

Santlal Rai Petitioner

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Dumka, District-Dumka
3. The Sub-Divisional Officer, Dumka, District, Dumka
4. Khudiram Rai Opposite Parties

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioner : Mr. Abhijeet Kumar, Advocate

For the Opp. Party-State : Mr. Debarshi Mandol, A.C. to Sr. S.C.-I

03/26.06.2020 The matter has been heard with the consent of learned counsel for the parties through video conferencing. They have no complaint about any audio and visual connectivity.

The instant civil miscellaneous petition has been filed for restoration of W.P.(C) No.2840 of 2018 which has been dismissed on 11.09.2019 for non-compliance of peremptory order dated 03.09.2019.

Mr. Abhijeet Kumar, learned counsel appearing for the petitioner has submitted that due to inadvertence, the defects could not have been removed within the peremptory time as has been allowed by this Court vide order dated 03.09.2019. However, he submits that within two weeks' from the date of restoration of writ petition, defects shall be removed.

Mr. Debarshi Mandol, learned A.C. to Sr. S.C.-I appearing for the State of Jharkhand has raised no objection with respect to restoration of writ petition to its original file rather he has submitted that the writ petition may be restored, so that the issue may be decided on merit.

This Court after having heard the learned counsel for the parties and considering the rival submissions advanced on their behalf, deem it fit and proper to allow the instant civil miscellaneous petition, so that, the issue which has been agitated by the petitioner in the writ petition may be adjudicated on merit.

Accordingly, writ petition being W.P.(C) No.2840 of 2018 is restored to its original file with the direction to remove the defects within two weeks' from the date of receipt of copy of this order.

In view thereof, the instant civil miscellaneous petition stands allowed.

(Sujit Narayan Prasad, J.)

Rohit/-