

(2021) 07 JH CK 0025

In the Jharkhand High Court

Case No : Civil Miscellaneous Petition No. 676 Of 2019

Hiramani And Others

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 27-07-2021

Acts Referred:

Citation : (2021) 07 JH CK 0025

Hon'ble Judges : Sujit Narayan Prasad, J

Bench : Single Bench

Advocate : Kundan Kr. Ambastha, Sharad Kaushal

Final Decision : Disposed Of

Judgement

Sujit Narayan Prasad, J

This Court had granted time to remove the defect by order dated 16.03.2021.

It has been submitted by learned counsel appearing for the petitioner that all the defects have been removed save and except defect No.1 which

pertains to filing of certified copy of the order passed by the writ court in W.P.(C) No.5804 of 2017.

Mr. Kundan Kumar Ambastha, learned counsel appearing for the petitioner submits that since the original record of writ petition being W.P.(C) No.

5804 of 2017 is available on record, therefore, the aforesaid defect may be ignored.

This Court, after having heard the learned counsel for the petitioner and considering the fact that the original record of writ petition being W.P.(C)

No.5804 of 2017 is on record, deems it fit and proper to ignore the defect No.1.

Accordingly, defect No.1 is ignored.

Mr. Kundan Kumar Ambastha, learned counsel for the petitioner submits that the instant civil miscellaneous petition may be allowed by restoring the writ petition being W.P.(C) No.5804 of 2017 to its original file otherwise the petitioner will suffer irreparable loss and injury.

Mr. Sharad Kaushal, learned A.C. to A.A.G.-III appearing for the opposite parties submits that he has no objection if the writ petition is restored to its original file.

This Court, considering the reason assigned in the instant civil miscellaneous petition as also the undertaking furnished by the learned counsel for the petitioner that within three weeks from the date of restoration of the writ petition the defects as has been pointed out by the office in the writ petition,

shall be removed by complying the order passed by this Court on 24th April, 2019, deems it fit and proper to restore the writ petition being W.P.(C)

No.5804 of 2017 to its original file.

In view thereof, the order dated 24th April, 2019 is modified to the extent as indicated hereinabove.

The instant Civil Miscellaneous Petition stands disposed of.