

Court No. - 18

Case :- WRIT - B No. - 30272 of 2019

Petitioner :- Smt. Shivpatti

Respondent :- Board Revenue Lucknow And Ors.

Counsel for Petitioner :- Sushil Kumar Singh, Om Prakash Vishwakarma

Counsel for Respondent :- C.S.C., Anil Kumar Yadav, Rajesh Kumar Shukla, Ravindra Pratap Singh

Hon'ble Shree Prakash Singh, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

Submission of learned counsel for the petitioner is that the sole petitioner died on 11.07.2023 and till date no substitution application has been moved by the legal heirs of the deceased. He added that after passing of 90 days, the proceedings of this petition may be abated. In support of his contention, he has referred to Order 22, Rule 3 of Civil Procedure Code, 1908 and submitted that since no procedure is prescribed in the High Court Rules, so far as, in case of the death of the sole plaintiff is concerned, the Order 22, Rule 3 of Civil Procedure Code, 1908 will apply in such cases. Therefore, his submission is that the instant petition may be abated.

In view of the aforesaid submission, the instant petition is hereby **abated**.

Consigned to records.

Interim order, if any, stands vacated.

Order Date :- 20.11.2023

Manoj K.