

1. Perusal of the record shows that appellant - original accused Kashinath had filed this appeal against conviction. Subsequently, it appears, Criminal Application No.459/2009 was filed by his legal heirs. Death Certificate was filed of original accused Kashinath and the wife and children of Kashinath requested permission to continue the appeal. This Court has passed order on 13.2.2009 in the said application that the legal

representatives are permitted to continue the appeal and "be substituted in place of the deceased". The record of the present Appeal No.683/2005 does not show that acting upon the order dated 13.2.2009, the record of this appeal was corrected or the legal representatives were added as appellant.

2. Today neither the legal representatives nor the Advocate for original accused who was continued by the legal representatives are present.

3. Looking to the above, this appeal of 2005 need not be kept pending further. As it is reported that the appellant - accused is dead, the appeal is disposed of as abated.

(A.I.S. CHEEMA, J.)