

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5507 OF 2004

**RATNAKAR GOPALRAO KULKARNI
VERSUS
STATE OF MAHARASHTRA & ORS.**

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Mr.M.K.Deshpande, Advocate for petitioner
Mrs.V.N.Patil, AGP for respondent no.1
Mr.V.S.Panpatte, Advocate for respondent nos.2 and
to 3

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.
DATE : JUNE 23, 2017**

PER COURT :

The learned Counsel for the petitioner submits that the petitioner died on 14.02.2014, but the widow of the petitioner wants to prosecute the matter as the question of pay scale is involved.

2. In view of death of the petitioner, this Court holds that the petition cannot be kept pending and it needs to be disposed of as abated.

3. The Writ Petition stands disposed of as abated.

4. If the legal representatives of the petitioner want to prosecute the matter, they would be at liberty to file a proper application for permission to come on record, for setting aside the abatement and for restoration of the matter.

[SANGITRAO S. PATIL, J.]

[T.V. NALAWADE, J.]

kbp