

HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-8448-2001 (O&M)

Date of Decision: November 29, 2017

Sarabjit Kumar and another

.....Petitioners

Versus

The State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SUDHIR MITTAL**

- |    |                                                                       |         |
|----|-----------------------------------------------------------------------|---------|
| 1. | To be referred to the Reporters or not?                               | Yes/No  |
| 2. | Whether the judgment should be reported in the Digest?                | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No  |

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Present: Mr.Prateek Pandit, Advocate for petitioner No.1.

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**SURYA KANT, J.**

On August 21, 2017, notice was issued to the petitioners as their counsel through whom this writ petition was filed has passed away. Though as per the Office note, notice sent to the petitioners have not been received back served or otherwise, petitioner No.1 has put in appearance through his counsel. He states that the cause does not survive any more and he may be permitted to withdraw the writ petition.

As regard to petitioner No.2, learned counsel for petitioner No.1 states that as per his information, petitioner No.2 has passed away.

In this view of the matter, we dismiss the writ petition as withdrawn qua petitioner No.1 and as infructuous qua petitioner No.2/his legal representatives, however, with liberty to his legal representatives to

seek its revival, if need be, within a period of six months.

We have requested the counsel for petitioner No.1 to inform the legal representatives of petitioner No.2 as regard to today's order so that they may seek its revival, if so required.

**( SURYA KANT )  
JUDGE**

**November 29, 2017**  
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**( SUDHIR MITTAL )  
JUDGE**

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|---------------------------------------|---------------|
| <b>1. Whether speaking/reasoned ?</b> | <b>Yes/No</b> |
| <b>2. Whether reportable ?</b>        | <b>Yes/No</b> |