

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11733 OF 2017

The Commissioner Central GST and ors.	...	Petitioners.
V/s.		
Vivek G. Joshi	...	Respondent.

Mr. A.R. Gole for the Petitioners.
Mr. A.D. Joshi for the Respondent.

CORAM : A.S. OKA AND M.S. SONAK, JJ.
DATE : 3rd OCTOBER 2018.

P.C.:

1] This petition under Article 226 of the Constitution of India has been filed by the respondents in Original Application No. 377 of 2016 filed by the respondent before the Central Administrative Tribunal (for short the "*Tribunal*").

2] The challenge in this petition is to the order dated 1st February 2017 passed by the Tribunal on Miscellaneous Application No. 636 of 2016. The prayer made in the said application filed by the present petitioners was for vacating the interim order dated 14th June 2016 passed by the Tribunal on the Original Application filed by the respondent. By the impugned order, the said Miscellaneous Application filed by the petitioners has been rejected. It appears that the original applicant in the Original Application is no more and so far, his legal representatives have not been brought on record.

3] The original applicant has died about four months back. Hence, the Original Application may not survive.

4] Therefore, it is not necessary to keep this petition pending. Accordingly, we pass the following order:-

(a) The Writ Petition is disposed of;

(b) In the event, the Tribunal permits the legal representatives of the respondent, i.e., original applicant, to be brought on record, we permit the petitioners to apply for revival of this petition.

(M. S. SONAK, J.)

(A.S.OKA, J.)