

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

**920 CIVIL APPLICATION NO.13643 OF 2021
IN WP/601/2006**

PHULCHAND DEVCHAND KOLI DIED THR LRS PUSHALATA
PHULCHAND KOLI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Applicants : Mr. Kharosekar h/f Mr. O.B. Boinwad
AGP for Respondent/State : Mr. S.R. Yadav

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 17th DECEMBER, 2021

PER COURT:-

1. By this civil application, the applicants pray for leave to bring the legal representatives of the deceased sole respondent, Phulchand Devchand Koli on record in the writ petition.
2. The learned AGP representing the respondents does not oppose since the petition has been abated due to the death of the sole respondent during the pendency of the petition which was admitted. He, therefore, submits that if the legal representatives are to be brought on record in the petition, the said petition will have to be restored.
3. The learned advocate for the applicants submits that they should be brought on record in the said writ petition which can be restored and they desire to participate in the said proceedings.
4. In view of the above, the civil application is partly allowed

only to the extent of prayer clause (B). Consequentially, the order of abatement dated 07.09.2018 stands recalled and Writ Petition No.601 of 2006 stands restored at the stage at which it was abated. The learned AGP shall bring the legal representatives on record, on or before 10.01.2022.

5. In view of the above, list Writ Petition No.601 of 2006 for final hearing on 27.01.2022.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)