

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4887/2018

NIRMAL @ NILKANTH MADHAV URADE (DIED) THR. HIS LRS. AND OTHERS
VS
SMT. VANITA DEWANAND URADE AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Varun Kataria h/f. Mr. A.A. Dhawas, Advocates for the
petitioners
Mr. B.M. Kharkate, Advocate for respondent nos. 1 to 3
Mr. H.D. Dubey, AGP for respondent nos. 4 to 6
Respondent no. 7 is served.

CORAM : A. S. KILOR, J.

DATED : 21/06/2023

Heard.

2. The present writ petition is filed challenging the order passed by the Additional Commissioner, Nagpur Division, Nagpur, dated 18.01.2016, only on the ground that during the pendency of the revision application the applicant Nirmal @ Nilkanth Madhav Urade died on 07.07.2015 and because of his death the revision application has got abated, despite the said fact on 18.01.2016, the revision application was decided on merit.

3. The respondent nos. 1 to 3 are not disputing the said fact. Accordingly, the present writ petition which has been filed at the behest of LR's of Nirmal @ Nilkanth Madhav

Urade needs to be allowed by setting aside the order impugned. Accordingly, I pass the following order:

(I) The writ petition is allowed.

(II) The order 18.01.2016 passed by the Additional Commissioner, Nagpur is hereby quashed and set aside.

(III) Liberty is granted to the petitioners to apply for bringing their names on record alongwith an application for setting aside the abatement.

JUDGE