



**W.M.P.No.2257 of 2023**  
**in W.P.No.16291 of 2008**

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**J.SATHYA NARAYANA PRASAD, J.**

This Writ Miscellaneous Petition has been filed to set aside the order dismissed for Non-prosecution dated 29.06.2018 in W.P.No.16291 of 2008, restore the writ petition.

2. When the matter was taken up for hearing, learned counsel for the petitioner sought permission of this Court to withdraw the present writ petition and he has also filed a memo dated 19.06.2023 to that effect. For better appreciation, the relevant portions of the memo is extracted hereunder:

*“1. The petitioner states that the above W.M.P.No.5656 of 2019 was filed seeking to restore the writ petition which was dismissed for default on 29.06.2018. The petitioner is given to understand that the 1<sup>st</sup> respondent is no more and the details of the legal heirs could not be ascertained by the petitioner despite diligent efforts.*

*2. The Petitioner therefore seeks leave of this Hon'ble Court to withdraw the aforesaid application with liberty to represent the said application in the event of legal heirs approaching the petitioner to enforce the award impugned in the writ petition.”*



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3. The aforesaid Memo dated 19.06.2023 filed by the petitioner has been taken on record by this Court.

4. Considering the facts and circumstances and the memo dated 19.06.2023 filed by the petitioner, this writ miscellaneous petition is dismissed as withdrawn with a liberty to represent the said application in the event of legal heirs approaching the petitioner to enforce the award impugned in the writ petition.

**19.06.2023**

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19.06.2023