



W.M.P.No.1243 of 2024

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in W.P.No.2339 of 2010

MUMMINENI SUDHEER KUMAR, J.

Mr.A.Prabhakar Reddy, learned counsel for the petitioner submitted that he is not pressing the application as against the 2nd respondent, as the 2nd respondent remained *ex-parte* even before the 1st respondent.

2. This application is filed to bring on record the petitioners 1 & 2 herein, being the legal representatives of the deceased sole petitioner as the sole petitioner died on 20.07.2022.

3. The 4th respondent filed counter affidavit opposing the application on the ground that the present application is filed after a long lapse of time and beyond the limitation prescribed for and the said application is filed without seeking condonation of delay.

4. No doubt, in terms of the procedure contemplated under the Civil Procedure Code, the petitioner is expected to file an application seeking to set aside the abatement as well as condonation of delay in case the application for substitution is filed beyond the period of 90 days. But the application having been filed is one to bring the legal representatives on record, strict application of CPC cannot be applied to the writ proceedings.

5. In view of the same, this Court is convinced with the reasons furnished in support of the application and accordingly, the application is ordered and the petitioners 1 & 2 herein shall stand impleaded as the petitioners 2 & 3 in the main writ petition.



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6. Registry is directed to carry out necessary amendment and list the writ petition for hearing on 21.08.2024.

08.08.2024

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