

21.05.2025
Item No. 11.
Court No.551.
AB

W.P.A. 11816 of 2019

**Ram Chandra Prasad
Vs
Union of India & Others**

Mr. Vipul Kundalia, sr. adv,
Mr. Avinash Kankani,
Mr. Aayush Sharma,
Mr. D. Choudhuryfor the Union of India.

1. It was recorded in the last order dated May 19, 2025 that Mr. Kundalia, learned Senior Advocate had submitted that he had gathered hearsay information that the writ petitioner had expired during the pendency of the writ petition. However, since no evidence of the writ petitioner's death has been brought on record and since there is no application either for substitution or for intimating the Court about the writ petitioner's death, it would not be proper for this Court to proceed on the basis of such submission.
2. It may be true that if the writ petitioner has actually died and the time provided for substituting the heirs of the writ petitioner (in case the right to sue survives) has also elapsed, the proceedings itself might have abated. Yet because of the lack of credible information as regards the death of the writ petitioner, the Court is unable to proceed further on the basis of such information and record the abatement.

3. Since the petitioner has remained unrepresented despite several calls, it would be proper for this Court to dismiss the writ petition for default.
4. W.P.A. 11816 of 2019, therefore, stands dismissed for default.
5. Interim order, if any, stands vacated.

(Om Narayan Rai, J.)