

**Darshan Singh & Ors. State of H.P. & Anr.
CWP No.2744 of 2013 a/w CWP No.6162 of
2010**

16.12.2025 Present: Mr. Sanjeev Bhushan, Senior Advocate, with Mr. Rajesh Kumar, Advocate, for the petitioner(s), in both the petitions.

Mr. Pushpinder Jaswal, Additional Advocate General, for the respondent-State. .

**CMP(M) No.1660 of 2025 in CWP No.2744 of
2013**

By way of this application, a prayer has been made to bring on record the legal representatives of deceased petitioner No.2, who is stated to have died on 12.04.2015. Prayer in the application is also made for condonation of delay in filing the application and setting aside the abatement.

Learned Senior Counsel for the petitioners has submitted that the writ itself was filed in the year 2013 and the same remained pending and it is only recently when this petition was taken up for final consideration, that for the purposes of instructions, when communication was sent to the parties to the petition, at that stage, it transpired that during the pendency of the writ petition, petitioner No.2 had died. He submits that in these circumstances and in the light of prayers that have been made in the writ petition, it would be in the interest of justice, in case, the application is

allowed, as no prejudice shall be caused to the respondents.

Learned Additional Advocate General on the other hand submits that the application is highly belated and no cogent reasons stand spelled out therein to allow the same.

Having heard learned Senior Counsel for the petitioners as well as learned Additional Advocate General, this Court is of the considered view that in the peculiar facts of this case, it would be in the interest of justice, in case, this application is allowed.

Though, petitioner No.2 died in the month of April, 2015, but, it appears that his legal heirs were not aware of the pendency of the present proceedings and they came to know about the same only when the matter was taken up for consideration and when contacted by the counsel representing their late father.

Accordingly, this application is allowed. The proposed legal representatives of petitioner No.2 were impleaded as petitioner No.2(a) and 2(b), in place of the deceased petitioner No.2. Delay in filing the application is condoned and abatement is set aside. Application stands disposed of.

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Mr. Sparsh Bhushan, Advocate, has put in
appearance on behalf of the newly impleaded petitioners.

As prayed for, list on 23.12.2025.

(Ajay Mohan Goel)
Judge

December 16, 2025
(*Vinod*)