

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9333 OF 2013  
IN  
SPECIAL LEAVE PETITION (C) NO.22878 OF 2012

C.E.O., A.P. STATE WAKF BOARD & ANR. APPELLANT(S)

VERSUS

KARANAM MARIADAS & ANOTHER RESPONDENT(S)

O R D E R

Leave granted.

2. The only submission made by Mrs. D. Bharathi Reddy, learned counsel for the appellants is that the sole petitioner - Karanam Mariadas in the High Court had died much prior to the passing of impugned judgment. His legal representatives were not brought on record and yet the High Court allowed the revision petition. It is submitted that the judgment of the High Court is nullity.

3. Mr. Anagha Bhattacharjee, advocate submits that he has been instructed to appear for the legal representatives of deceased respondent No. 1. He submits that an application for substitution of deceased petitioner -Karanam Mariadas in the civil revision before the High Court was made and the matter was decided by the High Court but unfortunately, that application left unattended and no order came to be passed.

4. In the above circumstances, we are satisfied that the matter needs to be sent back to the High Court for fresh consideration first on the application for substitution made by the legal representatives of deceased petitioner before the High Court and thereafter on merits of the civil revision, if necessary.

5. We, accordingly, set-aside the impugned judgment. Civil Revision No. 2004 of 2008, titled as "Karanam Mariadas vs. The Chief Executive Officer and others" is restored to the file of the High Court for the purpose of first considering the application for substitution made by the legal representatives of deceased petitioner and thereafter for consideration of civil revision on merits, if necessary.

6. Appeal is allowed as above with no order as to costs.

.....J.  
( R.M. LODHA )

NEW DELHI;  
OCTOBER 21, 2013.

.....J.  
( SHIVA KIRTI SINGH )

ITEM NO.53

COURT NO.3

SECTION XIIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).22878/2012

(From the judgement and order dated 25/03/2011 in CRP No.2004/2008 of The  
HIGH COURT OF A.P AT HYDERABAD)

C.E.O., A.P. STATE WAKF BOARD & ANR

Petitioner(s)

VERSUS

KARANAM MARIADAS & ANR.

Respondent(s)

(With appln(s) for formal disposal and office report )

Date: 21/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mrs. D. Bharathi Reddy,Adv.

For Respondent(s)

Mr. Anagha Bhattacharjee, Adv. for  
Ms. T.Anamika,Adv.

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

Appeal is allowed in terms of signed order with no order as  
to costs.

|(Pardeep Kumar)  
|Court Master

| |(Madhu Sudan)  
| |Court Master

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[SIGNED ORDER IS PLACED ON THE FILE]