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W.M.P.No.32795 of 2022
in W.P.No.33363 of 2022

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W.P.No.33363 of 2022

M.SUNDAR, J.,

This order will now dispose of the captioned 'Writ Miscellaneous Petition' ['WMP'].

2. Captioned WMP has been filed with a prayer to dispense with production of an 'order dated 26.08.2022 bearing reference Order-in-Appeal No.87/2022-GST/GST(Appeals)' [hereinafter 'impugned order' for the sake of convenience and clarity.

3. Adverting to support affidavit more particularly a paragraph therein which reads as follows:

'It is further submitted that the petitioner is unable to produce the production of the original Order in Appeal No.87/2022-GST (Appeals) dated 26.08.2022 passed by the 1st respondent. However, the petitioner has filed the web copy of the said impugned order. Hence, it is just and necessary to dispense with the production of the original Order in Appeal No.87/2022-GST (Appeals) dated 26.08.2022 passed by the 1st respondent.'

Learned counsel for writ petitioner submits that dispense with prayer stands supported.



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4. There is no elaboration on how and why the writ petitioner is unable to produce the original impugned order. This means that the reason for not producing the original of the impugned order has not been articulated in support affidavit. However, in the arguments, learned counsel submits that the same has been misplaced. This Court treats the case on hand as a one-off matter making it clear that this order will not serve as a precedent and also making it clear that in days to come such petitions where support affidavit does not adequately explain the reason for dispense with prayer will have to meet inevitable consequences.

5. Prayer for dispense with is acceded to.

6. In the light of the narrative thus far, captioned WMP is ordered as prayed for. There shall be no order as to costs.

12.12.2022

(1/2)

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