



WEB COPY



CMP.No.9561 of 2023
in WA.SR.No.55881 of 2023

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R. MAHADEVAN, J.

and

MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R. MAHADEVAN, J.)

This petition is filed seeking to grant leave to the petitioner / appellant, to prefer a writ appeal challenging the order dated 20.04.2023 passed by the learned Judge in WMP.No.8998 of 2023 in WP.No.4722 of 2016.

2.It is the specific contention of the learned counsel for the petitioner that in the clarification petition filed by the Government of Puducherry and another, viz., WMP.No.8998 of 2023 in WP.No.4722 of 2016, by order dated 20.04.2023, the learned Judge suspended paragraph 20 clause (g) of the order dated 18.03.2021 passed in WP.Nos.4722 of 2016, 18681 and 18683 of 2020, which was already affirmed by the Division Bench of this court by judgment dated 30.06.2022 in WA.Nos.1376 and 1380 of 2022, as also by the Hon'ble Supreme Court in SLP(C) No.13207-13209 of 2022, and hence, order of the learned Judge is in excess of the jurisdiction vested on him. It is also submitted that without even impleading the petitioner / appellant, the said order has been passed and hence, the same is causing serious prejudice to him. Therefore, this miscellaneous petition.



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3. The learned Additional Government Pleader (Puducherry) opposed to the relief sought by the petitioner / appellant in this miscellaneous petition.

4. However, considering the facts and circumstances of this case and having regard to the submissions made by the learned counsel for the petitioner / appellant, leave is granted and this miscellaneous petition is ordered accordingly.

[R.M.D., J.] [M.S.Q., J.]
28.04.2023

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