



W.M.P.No.26382 of 2023

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in W.P.No.22245 of 2023

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N.SATHISH KUMAR, J.

This writ miscellaneous petition has been filed by the third respondent in W.P.No.22245 of 2023, seeking to recall the Order dated 28.07.2023 passed in the above writ petition.

2. This Court, passed an Order, on 28.07.2023 in the above writ petition, directing the third respondent/Block Development Officer [VP], to reinstate the petitioner/first respondent herein, within a period of one month.

3. This Order has been passed at the admission stage itself and the same has been obtained by suppression of the material facts, and in fact, originally, the first respondent has been removed from the Panchayat on the allegations of misappropriation of funds to the tune of Rs.11,07,139/-. Thereafter, he has been reinstated by the proceedings of the Block Development Officer/second respondent on 22.12.2021.

4. Challenging the said reinstatement, a writ petition has been filed in W.P.No.8621 of 2022 by the present petitioner, wherein, this Court, by Order dated 08.04.2022 has stayed the order of the second respondent namely



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BDO in reinstating the third respondent herein. However, these facts have not been brought to the notice of this Court and suppressed the same in the above writ petition.

5. Such view of the matter, as the writ petition is disposed in the admission stage without hearing the other side, the Order dated 28.07.2023 passed by this Court is hereby recalled. Accordingly, this miscellaneous petition is ordered.

6. Post the main writ petition on 11.12.2023 for filing counter.

23.11.2023

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