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W.M.P.No.22520 of 2018
in Rev.Aplw.No.SR47507 of 2018
in W.P.No.23187 of 2018

W.M.P.No.22520 of 2018
in
Rev.Aplw.No.SR47507 of 2018
in
W.P.No.23187 of 2010

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

The present writ miscellaneous petition has been instituted to condone the delay of 1815 days in filing the Review Petition.

2. The learned Government Pleader (Puducherry) would submit that there is no actual delay in filing the review petition, since the review petitioners have approached the Hon'ble Supreme Court of India by filing S.L.P.(C).No.21169 of 2015 in time. Leave granted and C.A.No.017000/2017 was taken up for hearing and the Hon'ble Supreme Court of India disposed off the matter on 24th October 2017, granting liberty to the review petitioner to file a review before the High Court. However, the delay has been calculated from the date, on which, the writ order has been passed by the Hon'ble Supreme Court of India in the year 2013.



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3. The review petitioners approached the Hon'ble Supreme Court of India within the time limit and the Apex Court entertained the S.L.P and by granting leave, heard C.A.No.017000 of 2017 and thereafter passed an order, granting liberty to the Government of Puducherry to file a review petition, the delay not occurred at the instance of the review petitioner, but on account of the pendency of the S.L.P before the Hon'ble Supreme Court of India. Thus, we are inclined to consider the present miscellaneous petition.

4. The learned counsel for the respondents would object by stating that the delay is enormous and therefore, the present condone delay petition is to be rejected.

5. The grounds raised on behalf of the respondents are to be adjudicated at the time of hearing of the review petition. As far as the delay in filing the review petition is concerned, we find merit and thus, we are inclined to consider the present miscellaneous petition.



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6. Accordingly, the delay of 1815 days in filing the review petition stands condoned and the writ miscellaneous petition in W.M.P.No.22520 of 2018 in Rev.Aplw.No.SR.47507 of 2018 is ordered accordingly.

7. Registry is directed to number the Review Petition, if the papers are otherwise in order.

[S.M.S., J.] [M.J.R., J.]
02.01.2025

Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

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