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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Fourth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

WA(MD) No.1127 of 2023

and

CMP(MD)8636 of 2023

THE COMMANDANT,
202 COBRA, SUNABEDA,
CENTRAL RESERVE POLICE FORCE,
KORAPUT, ODISHA.

... APPELLANTS/RESPONDENT No.4

Vs

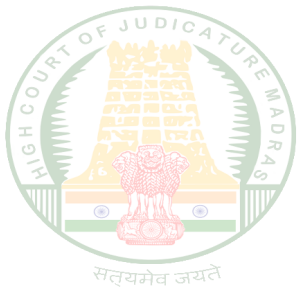
1 G.DHANAPAL
SI, G-III, SECURITY, SECURITY DEPARTMENT,
BHEL, TRICHY 620 014.

... RESPONDENT/PETITIONER

2 THE UNION OF INDIA,
REP. BY ITS SECRETARY TO GOVERNMENT,
MINISTRY OF HOME AFFAIRS, NEW DELHI.

3 THE DIRECTOR GENERAL,
CENTRAL RESERVE POLICE FORCE, CGO COMPLEX,
LODHI ROAD, NEW DELHI 110 003.

4 THE INSPECTOR GENERAL COMMUNICATION,
CENTRAL RESERVE POLICE FORCE,
COBRA SECTOR, CGO COMPLEX,
LODHI ROAD,
NEW DELHI 110 003.



W 5 THE ACCOUNTS OFFICER

202 COBRA, SUNABEDA,
CENTRAL RESERVE POLICE FORCE,
KORAPUT, ODISHA.

... RESPONDENT 2 TO 5/RESPONDENT 1 TO 3 AND 5

(NO RELIEF SOUGHT AGAINST RESPONDENT No.2
TO 5, HENCE, THE NOTICE MAY BE DISPENSED
WITH)

Writ Appeal filed under Clause 15 of Letters Patent, praying to allow this Writ Appeal by setting aside the order dated 22.02.2022 in WP(MD). No.1702 of 2014 on the file of this Hon'ble High Court.

Prayer in WP(MD). 1702/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the 4th respondent in his Order No. D V-1/2012-Ec-3 dated 18.05.2013 and the consequential order passed by the 4th respondent in his Order No. No.A.101/2013-14-202 - cash dated 23.12.2013 and quash the same and to direct the respondents to count the services of the Petitioner ended from 15.02.2003 to 12.04.2012 in the CRPF and to pay pension from 12.04.2012 counting as service rendered and leave encashment (earned leave and half pay leave) and continue to pay to the petitioner and to refund a sum of Rs.1,67,012/- for a period from 12.04.2012 and sum of Rs.1,06,123/- for the constable and Head Constable/crypto to till the payment is made @12%.

Prayer in CMP(MD). 8636/ 2023 :

To grant an order of Interim Stay of operation of order dated 22.02.2022 in WP (MD). No.1702 of 2014 pending disposal of the above appeal.

ORDER : This Writ Appeal coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.SARAVANAN, Advocate for the Appellant and of Mr.A.S.MUJIBUR RAHMAN, Advocate on behalf of the 1st Respondent, the Court made the following order:-



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Mr.A.S.Mujibur Rahman, learned Counsel takes notice for R1. Notice to R1 to R3 returnable in four weeks. Private notice is also permitted.

There shall be an order of interim stay in the meanwhile.

sd/--
24/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SECRETARY TO GOVERNMENT,
UNION OF INDIA,
MINISTRY OF HOME AFFAIRS, NEW DELHI.

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KORAPUT, ODISHA.



1. C.C. to M/S. D. SARAIVANAN Advocate SR.No.11177

ORDER
IN
WA(MD) No.1127 of 2023
and
CMP(MD)8636 of 2023
Date :24/07/2023

SS/MR/SAR- /16/08/2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023