

Court No. - 47

Case :- WRIT - C No. - 30294 of 2023

Petitioner :- Diwari Lal And 11 Others

Respondent :- State Of Up And 6 Others

Counsel for Petitioner :- Sheelendra Kumar, Vivek Mishra

Counsel for Respondent :- C.S.C., Avinash Chandra Srivastava

Hon'ble Manish Kumar Nigam, J.

1. Learned counsel for the petitioner tried to mislead the Court as the interim order was granted on 08.05.2023 by the Commissioner. Thereafter, learned counsel for the petitioner referred to an earlier order passed in the Month of April to show that despite arguments interim application has not been considered, whereas as a matter of fact, the interim order was granted on 08.05.2023 and on subsequent dates counsel was on strike and therefore, there is no fault of the respondent no. 2 in not extending the interim order.

2. Further, the petitioner has earlier approached this Court for decision of a stay application in pending appeal and that petition was disposed of vide order dated 05.08.2021 and now this writ petition has again been filed for the same relief.

3. In view of Rule 7 of Chapter XXII of the Rules of the Court, the second writ petition is not maintainable.

4. Accordingly, the writ petition stands dismissed.

Order Date :- 13.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)