

**THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 8724 of 2014 (O&M)
Date of decision: January 19, 2015

Anil Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Ms. Sharmila Sharma, Advocate,
for the petitioner.

Mr. Keshav Gupta, AAG, Haryana.

Mr. Surinder Mohan Sharma, Advocate,
for respondent No. 4.

K. KANNAN, J. (Oral)

1. The application for vacation of the stay has been filed on the ground that there is a statutory remedy of appeal against the order of Registrar and the writ petition itself is not maintainable.

2. With the consent of the counsel for the parties, writ petition itself is taken up for hearing.

3. The learned counsel for the petitioner says that she will resort to such a remedy of appeal provided that the delay that might entail, if it were to be filed now, could be ordered to be condoned. Considering the fact that there has been an order of stay granted by this court at the time when the notice of motion was issued on 7.5.2014 and considering further

that the application has been filed only four months thereafter and the interim order continued before this court, I will allow the benefit of interim order to continue, if the petitioner approaches the appellate authority within two weeks from today. The appellate authority may suitably consider the time that has been spent before this court for exclusion for the purpose of reckoning the period of limitation in preferring the appeal. It may pass suitable order on the petitioner's plea and the stay granted shall automatically vacate to merge with any of the order that may be passed by the appellate authority, if such appeal is entertained by him/her.

4. The writ petition is disposed of with the above observations. The application filed by the respondents for vacation of stay is treated as unnecessary in the light of the above observations.

January 19, 2015
prem

(K.KANNAN)
JUDGE