

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No.17137 of 2016
Date of decision:23.8.2016**

Darshana Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Amrik Singh, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Learned counsel for the petitioner, at the very outside, fairly states that so far as prayer made for issuance of a writ in the nature of certiorari is concerned, he does not intend to press for the said prayer, for the time being. He further submits that statutory appeal of the petitioner is already pending consideration before the appellate authority, which is clear from the order (Annexure P-10). Learned counsel for the petitioner submits that he may be permitted to restrict his prayer to the limited extent, only for a writ in the nature of mandamus, directing the respondent-appellate authority to hear and decide the statutory appeal of the petitioner at an early date and till the appeal is decided, order of suspension (Annexure P-9) may be ordered to be kept in abeyance.

Notice of motion.

On asking of the Court, Mr. Yatinder Sharma, Addl. A.G., Punjab, accepts notice.

After hearing learned counsel for the parties, the present writ petition is disposed of, with a direction to appellate authority-respondent No.1 to consider and decide the appeal of the petitioner at an early date and

in any case within a period of six weeks from the date of receipt of a certified copy of this order. However, keeping in view the peculiar facts and circumstances of the case and also to ensure that the statutory appeal filed by the petitioner may not be rendered infructuous, it is ordered that the suspension order dated 24.05.2016 (Annexure P-9) shall remain stayed till the statutory appeal of the petitioner is heard and decided by the appellate authority-respondent No.1.

With the above-said observations and directions issued, instant writ petition stands disposed of.

23.8.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No