

LPA no. 2219 of 2016 (O&M) 1

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

**LPA no. 2219 of 2016 (O&M)
Date of Decision : 15.11.2016**

Dwarkadhis Projects Pvt. Ltd. And another

....Appellant(s)

Versus

Parvinder Dhaiya and another

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE DR. SHEKHER DHAWAN**

Present : Mr.K.S.Khehar, Advocate for the appellants

MAHESH GROVER, J.

The only grievance of the appellants is that even though numerous writ petitions are pending including atleast petitions pertaining to the appellants themselves yet no interim directions have been given despite issuing the notice by placing reliance on the pendency of a related writ petition where interim directions were indeed given.

Learned counsel for the appellants has shown numerous orders passed by various coordinate Benches of this Court i.e in CWP nos.1579, 2650, 2826, 2758, 4656, 5194, 5346, 5447 and 10039 of 2016 of which we may extract the following orders passed in the petition bearing CWP no. 2650 of 2016 pertaining to the case of the appellants themselves:-

“Learned counsel for the petitioner has submitted that despite the fact that there is an arbitration clause in the agreement which excludes the jurisdiction of

all other Courts, yet the application filed under Section 22(c) of the Legal Services Authority Act, 1987 by the respondent has been allowed.

Notice of motion for 31.3.2016.

In the meantime, operation of the impugned order shall remain stayed.

To be heard alongwith CWP no. 1579 of 2016.”

On perusal we find that the issues raised by the appellants in CWP no. 22981 of 2016 are seemingly identical to the ones raised where the afore extracted orders have been passed. Indeed when interim orders are not supported by any reasons, a coordinate Bench would be within itself to deny an interim order but by giving supporting reasons, so as to allay any apprehensions of arbitrariness. Therefore, it would be in the fitness of the things if an identical order of restraint is passed purely on the ground of parity in the instant case as well till atleast the next date of hearing i.e. 16.11.2016.

Instant appeal is disposed of in above terms.

(Mahesh Grover)
Judge

(Shekher Dhawan)
Judge

15.11.2016

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No