

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.8651 of 2016

ORDER:

The petitioner challenges Endorsement dated 29.02.2016, whereunder the request of the petitioner for grant of staying the order of the 3rd respondent, dated 16.01.2014, was rejected.

On 17.03.2016, this Court has granted interim direction as prayed for.

Respondents 5 and 6 have filed petition to vacate the interim order and also counter affidavit setting out the circumstances under which the prayer for stay was refused by the 2nd respondent.

Learned counsel appearing for parties admit that the appeal is pending before the 2nd respondent in F3/122/2016 even as on date.

After perusing the material available on record and particularly keeping in view the order, dated 17.03.2016, this Court is of the view that pending consideration of appeal on merits by statutory authority, expressing any view at this stage of the matter, would certainly result in prejudice to one party or the other.

On the other hand, to meet the ends of justice, the writ petition is disposed of by directing the 2nd respondent to consider

and dispose of appeal pending in F3/122/2016 within four months from the date of receipt of a copy of this order. The parties are given liberty to file a copy of this order along with Memo before the 2nd respondent and seek an early date for hearing of the appeal. Till the appeal is heard and disposed of, the interim order, dated 17.03.2016, is directed to be continued.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Date:04-08-2017
Prv



S. V. BHATT, J

