

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

LPA No.2427 of 2017 (O&M)

Date of Decision : 22.12.2017

Kamal Devi

....Appellant

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Raman Sharma, Advocate
for the appellant.

Mr.Chandan Singh, Advocate for
Mr.Amit Jhanji, Advocate
for the caveator/respondent No.5.

MAHESH GROVER, J. (Oral)

The appellant impugns the order dated 27.09.2017 passed by
the learned Single Judge.

The learned Single Judge while accepting the writ petition
directed in the following terms :-

“In view of the aforesaid facts and circumstances,
I am of the considered opinion that this petition deserves
success and as such the direction is issued to respondent No.1
to accelerate the proceedings forthwith, pursuant to the order
dated 28.7.2017 having been passed by him, in consonance
with the provisions of Section 14 & 22 of the Act. It is needless
to mention that the necessary order shall be passed by
respondent No.1 within a period of 15 days from the date of
receipt of certified copy of this order. It is made clear that till
then respondent No.5 shall be restrained from discharging
functions of the president.”

It is not disputed that pursuant to the aforesaid directions an order has been passed which has again been challenged by the writ petitioner. The appellant also does not dispute that she is a party thereto and the pleadings are complete.

On due consideration of the matter, we are of the opinion that the grievance raised by the appellant in the appeal is virtually rendered illusory considering that the judgment of the learned Single Judge has been complied with and an order passed. Whether it is contrary to the directives given by the learned Single Judge or the authority has exceeded itself in making the observations beyond the controversy would be an issue to be raised before the Court where the challenge to the order has been mounted. The present appeal has lost its utility and is, therefore, dismissed. However, delay of 21 days in filing the appeal is condoned.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

22.12.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No