

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL No.946 of 2018

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present appeal, appellant has challenged order dated 28.06.2018 passed in I.A.No.1 of 2016 (WVMP No.3600 of 2016) in W.P.No.21231 of 2016, whereby interim order granted to the writ petitioner has been vacated.

The issue in the writ petition is whether the date of birth of the appellant/writ petitioner is 09.04.1959 or 01.07.1968, which is pending adjudication before the learned single Judge.

Since only interim order has been vacated and the writ petition is pending adjudication, therefore, we are not inclined to interfere with the order under challenge.

Writ appeal is accordingly dismissed. No order as to costs.

However, it is made clear that the learned single Judge shall not be influenced by the observations made in the order passed in the vacate petition.

As a sequel, miscellaneous petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

July 16, 2018
MRR