

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

CWP No.10183 of 2018

Date of Decision: 30.04.2018

M/s Punjab Motor Store

....Petitioner

Versus

Union of India and others

...Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Nakul Sharma, Advocate
for the petitioner.

Mr. Ashish Kapoor, Advocate
for respondents No.2 to 4-Caveator

DAYA CHAUDHARY, J. (ORAL)

After considering the arguments at length raised by learned counsel for the petitioner as well as learned counsel for respondents No.2 to 4-Caveator, it has been found that an appeal has been filed by the petitioner along with an application for interim order and the same is still pending. During arguments, it has also been raised by learned counsel for the caveator that earlier the petitioner filed a Civil Suit, which is still pending and this fact has not been mentioned in the present petition, which amounts to concealment of material facts.

Learned counsel for the petitioner submits that the Civil Suit was filed to challenge the Show Cause Notice and only the application has been dismissed, wherein, it has been mentioned that virtually the suit has become infructuous as it was against the Show Cause Notice and subsequently, the order has been passed.

Without saying anything on the merits of the case because of

the reason that the appeal is still pending, which was filed on 23.03.2018, it would be in the interest of justice to dispose of this petition with a direction to respondent No.2 to consider and decide the pending appeal within a period of one month from the date of receipt of certified copy of the order.

However, in case, for any sufficient reason, the appeal is not being heard within that period, then the application for interim order be decided on that day or not within a period more than two weeks.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

30.04.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No