

C.W.P. No. 8561 of 2018

(1)

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

C.W.P. No. 8561 of 2018

DATE OF DECISION:06.04.2018

Suja Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present:- Mr. NPS Mann, Advocate  
for the petitioner.

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**DAYA CHAUDHARY, J.**

The grievance of the petitioner in the present petition is that the appeal filed against order of suspension is still pending before appellate authority and the same is fixed for hearing on 17.5.2018, whereas, the application for interim stay has already been dismissed.

Learned counsel for the petitioner submits that the purpose of filing of an appeal has frustrated as the application for interim stay has already been dismissed. Learned counsel further submits that the order passed in the application is totally non-speaking and has been passed without taking into consideration the grounds of appeal.

Heard the arguments advanced by learned counsel for the petitioner and have also gone through the order passed in the application for interim stay.

The application filed by the petitioner for interim order has

been dismissed by the appellate authority vide order dated 19.2.2018 by mentioning that the appellant failed to produce any solid evidence. However, it is also mentioned in the order that the decision in the application will not affect the main case. It has not been mentioned in the order as to whether the ingredients, which are necessary to be considered for grant of stay or to decline have been dealt with or not. The main appeal is stated to be pending for hearing on 17.5.2018.

Accordingly, the present petition is disposed of with a direction to respondent No.1 to make all efforts to decide the pending appeal of the petitioner on the next date of hearing i.e. 17.5.2018 and in case for any sufficient reason the appeal is not heard on that day then it should be decided within a period of not more than two weeks thereafter.

It is also directed that the impugned order passed in the application shall remain stayed till the final decision of the appeal.

April 06, 2018  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No