

LPA No. 1074 of 2018 (O&M)

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

**LPA No. 1074 of 2018 (O&M)
Date of Decision: August 07, 2018**

Gurdial Singh

...Appellant

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present: Ms. Amandeep Soni, Advocate, for the appellant.

KRISHNA MURARI, C.J. (ORAL)

The appellant-petitioner is in intra-court appeal, under Clause X of the Letters Patent, against an order dated 25.5.2018, rendered by the learned Single Judge:-

“Notice of motion for 14.12.2018.

***In the meantime, pendency of writ
petition will not affect the remand
proceedings.”***

All what has been urged by learned counsel for the appellant is that vide order dated 1.3.2018, which has been assailed in the writ petition, though the Financial Commissioner (Appeals), has set aside the appointment of respondent No.5 as Lambardar, but has also remitted the matter to the District Collector to requisition fresh applications, which too shall be considered with the application of the appellant, to fill up the said post. The limited grievance that the appellant has is; that once the proceedings, pursuant to the order dated 1.3.2018, are concluded, the writ petition itself would be rendered infructuous.

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Therefore, it is urged that at least let the hearing in the writ petition be preponed to secure the interest of the appellant.

In the wake of the above, we deem it necessary and appropriate to prepone the hearing in the writ petition to 10.9.2018. Even if service upon the respondents has been effected, they be re-served for 10.9.2018, and the appellant may resort to necessary measures in this regard. Needless to assert that even if, in the interregnum, any order is passed by the District Collector, pursuant to the order dated 1.3.2018, that shall be subject to the final decision in the writ petition.

The appeal is accordingly disposed of in the above terms.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

07.08.2018

AK Sharma

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO