

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

LPA No.1790 of 2018(O&M)
DATE OF DECISION:17.11.2018

Union of India

...Appellant

Vs.

M/s CMI Limited & others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE LALIT BATRA**

Present: Mr. G. S. Bal, Senior Advocate with
Ms. Gursimran Kaur, and
Mr. Amit Kumar, Advocate
for the appellant.

MAHESH GROVER, J. (Oral)

CM No.4640 of 2018

This application has been moved under Section 5 of Limitation Act
for condonation of delay of 65 days in filing the present appeal.

For the reasons recorded in the application, the same is allowed.

Delay of 65 days in filing the present appeal stands condoned.

LPA No.1790 of 2018

Learned counsel for the appellant contends that appellant is
only aggrieved against with that portion of the order by which stay has
been declined. He refers to a similar order passed by a co-ordinate Bench
to contend that in similar circumstances proceedings were stayed in CWP
No.17377 of 2015.

After hearing learned counsel for the appellant, we are of the

LPA No.1790 of 2018

:2:

opinion that an interim order granted or declined, can always be varied by the Bench seized of the matter.

We will therefore decline interference in letters patent appeal but grant opportunity to the appellant to move an appropriate application before learned Single Judge seized of the matter as per roster.

Dismissed.

(MAHESH GROVER)
JUDGE

(LALIT BATRA)
JUDGE

17.11.2018

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