

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

**CWP-1201-2019(O&M)
Date of decision-23.01.2019**

Dilshad

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Chiranshu Bansal, Advocate for
Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, D.A.G., Haryana.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus for staying the operation and implementation of the impugned order dated 11.10.2018 (Annexure P-1) passed by respondent No.2-Deputy Commissioner, Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioner states that the appeal preferred by the petitioner against the impugned order dated 11.10.2018 (Annexure P-1) is pending disposal before respondent No.1. He further states that at this stage, he would be satisfied, if a direction is issued to respondent No.1- Chief Secretary to Government of Haryana, Department of Development and Panchayat, Civil Secretariat, Sector-17, Chandigarh to consider and decide the stay application dated 22.10.2018 (Annexure P-2) preferred by the petitioner within a time bound manner.

Heard.

A complete set of paper book has been handed over to Mr. Vikrant Pamboo, D.A.G., Haryana in the Court today.

Learned State counsel does not controvert the suggestion made by learned counsel for the petitioner.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Chief Secretary to Government of Haryana, Department of Development and Panchayat, Civil Secretariat, Sector-17, Chandigarh to consider and decide the stay application dated 22.10.2018 (Annexure P-2) of the petitioner expeditiously preferably within a period of six weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the request made by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to the petitioner, within a period of six weeks thereafter. However, in case the competent authority feels that the request made by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

23.01.2019*ps-I***(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No