

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA-1846-2019(O&M)

Decided on: 09.12.2019

National Institute of Solar Energy, Gawalpahari and another

... Appellants

Versus

Sanjay Kumar and others

... Respondents

CORAM: *HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE*
 HON'BLE MR. JUSTICE RAJIV SHARMA, JUDGE

Present: Mr.Arun Gosain, Senior Panel Counsel
 for the appellants.

 Mr.D.S.Patwalia, Senior Advocate with
 Mr.A.S. Chadha, Advocate
 for respondent no.1.

RAVI SHANKER JHA, CHIEF JUSTICE (ORAL)

This appeal has been filed by the appellant-Institute being aggrieved by the order passed by the learned Single Judge dated 01.11.2019 granting stay of the order dated 04.10.2019 repatriating the respondent with the further direction to permit him to continue on the post of Deputy Director General.

Though several issues have been raised by the parties before this Court including the question of maintainability of this Letters Patent Appeal against the order passed by the learned Single Judge, learned counsel for the parties submit that the aforesaid issues may not be considered and decided by this Court and the matter may be remitted back to the learned Single Judge to decide the issue of interim relief afresh taking

impact of office order dated 10.10.2019 giving the work allocated to the respondent to Dr. Chandan Banerjee, DDG, and the letter dated 18.10.2019 issued by the Central Electronics Limited referring to the application through e-mail dated 05.10.2019 filed by the respondent seeking leave for a period of 05.10.2019 to 09.10.2019 as well as the facts and documents urged and placed before this Court vide CM no.4484-LPA of 2019 by the respondent.

Learned counsel appearing for the parties conjointly pray and are granted liberty to file further documents, if so advised, or required before the learned Single Bench in support of the submissions.

In view of the conjoint prayer made before this Court, the present appeal is disposed of with liberty as aforesaid to the parties to take up proceedings before the learned Single Judge for vacating the interim order granted on 01.11.2019. Till the decision in that regard is taken by the learned Single Judge, the interim order granted by this Court shall remain in operation.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

December 09, 2019.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No