

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

CWP No. 997 of 2020
Date of decision: 24.01.2020

Satbir Lather

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Gaurav Jaglan, Advocate,
for Mr. Vikram Singh, Advocate,
for the petitioner.

Ms. Vibha Tewari, AAG, Haryana.

Ms. Anshul Agnihotri, Advocate,
for respondent no. 3.

Mr. U.K. Agnihotri, Advocate,
for respondent no. 4.

G.S.SANDHAWALIA, J. (Oral)

Ms. Anshul Agnihotri, Advocate has filed Power of Attorney on behalf of respondent no. 3 and Mr. U.K. Agnihotri, Advocate has filed Power of Attorney on behalf of respondent no. 4. The writ petition has been filed for staying the resolution dated 28.11.2019 (Annexure P-1) whereby, respondent no. 4 has been allowed to join after he had resigned from the post of the Clerk to contest the election in 2013. The joining has been permitted in the year 2019.

It is not disputed that the proceedings are now pending before respondent no. 2 for 28.02.2020. However, there was no order on the stay application, which has led to filing of the present writ petition.

Since the matter is already pending before respondent no. 2, the present writ petition is disposed of with directions to respondent no. 2 to

decide the stay application on the said date. In the meantime, however, there shall be an interim stay on the resolution dated 28.11.2019 (Annexure P-1), in view of the above facts. Needless to say it will be open to respondent no. 2 to decide the stay application and the stay shall operate till the decision of the stay application by the said respondent no. 2, who will not be influenced by any observations made on the merits of the case by this Court.

24.01.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No