

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

**LPA No. 493 of 2020 (O&M) in  
CWP No. 8012 of 2020  
Date of Decision: 11.08.2020**

Dakshin Haryana Bijli Vitran Nigam, Hisar and others

..... Appellants

**Versus**

K.D. Bansal, Hisar

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH  
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Ravi Parkash, Advocate  
Mr. Samir Malik, Advocate and  
Ms. Nikita Choukse, Advocate for the appellants.

*[ The aforesaid presence is being recorded through video conferencing since the  
proceedings are being conducted in virtual court ]*

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**JASWANT SINGH, J. (ORAL)**

The instant Intra Court Appeal is directed against the interim order dated 12.06.2020 passed by the learned Single Judge in the aforementioned writ petition, whereby further proceedings on the basis of the Charge Sheet were ordered to be stayed while issuing notice of motion for 04.09.2020.

Arguments raised is that the stay has been granted by ignoring the settled law on the subject; as also no prejudice has been caused to the delinquent officer at this stage.

After hearing counsel for the appellants, we are of the considered view that an application under Article 226(3) of the Constitution would still be maintainable for seeking vacation of the interim order in the writ petition, now fixed for 04.09.2020, as the attendance of the counsel for the respondent / appellant has been recorded only for the purpose of accepting the notice, without hearing the appellant-respondent therein on

merits of the case, thus it would be in the fitness of things if the appellant is relegated to seek his remedy in accordance with law before the learned Single Judge.

**Disposed of** with the aforesaid liberty.

**( JASWANT SINGH )**  
**JUDGE**

**August 11, 2020**  
*'dk kamra'*

**( ASHOK KUMAR VERMA )**  
**JUDGE**

|                                  |               |
|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |