IN THE HIGH COURT OF UTTARAKHAND

AT NAINITAL

Special Appeal No. 326 of 2020

Vibhor ...Appellant

Vs.

State of Uttarakhand and others ...Respondents

Shri Shashank Pandey, learned counsel for the appellant.
Shri S. S. Chaudhary, learned brief holder for the State of Uttarakhand/respondent nos.1 to 3.

24th December, 2020

Coram: Hon'ble Ravi Malimath, A.C.J.
Hon'ble Alok Kumar Verma, J.

Ravi Malimath, A.C.J. (Oral)

Aggrieved by the order dated 28.11.2020, passed by the learned Single Judge in Writ Petition No.1539 of 2020 (S/S) in declining to grant any interim relief, the petitioner is in appeal.

2. The plea of the petitioner is that the respondents have passed an order imposing monetary penalty on the appellant, along with his direction to respondent no.3 to terminate his services. Hence, the instant petition has been filed.

3. Therefore, it is imminent that the interim order be granted. However, on hearing the learned counsels, we are of the considered view that the learned Single Judge who heard the matter and issued notices to the respondents and came to the view that there is no good ground to grant interim relief at that

stage. Hence, the application was dismissed. Questioning the same, instant appeal is filed.

4. On hearing the learned counsels, we do not find any merit in this appeal. Firstly, it is the fact that it is the discretionary order passed by the learned Single Judge. We find no error in the discretion exercised by the learned Single Judge in declining to grant the relief. Secondly, the subject matter would indicate that these are all matters that require material to be produced before the Court in order to support the contentions of the petitioner. Therefore, the learned Single Judge was justified in rejecting the plea for interim relief. Hence, we find no good ground to interfere with the same.

5. Accordingly, the appeal is dismissed.

(Alok Kumar Verma, J.) **(Ravi Malimath)**
A.C.J.

S.K./ PP