

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA-575-2021(O&M)
Date of decision : 13.07.2021

The Punjab Netball Association and others

... Appellants

Versus

Union of India and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA***

Present: Mr.A.S.Narang, Advocate
for the appellants.

Mr.Rajiv Verma, Advocate
for respondent no.1-UOI.

(Proceedings through Video Conferencing)

AUGUSTINE GEORGE MASIH, J.(ORAL)

Challenge in this appeal is to the order dated 18.01.2021 whereby an application for interim relief in the form of stay of operation of orders / letters dated 05.03.2017 and resolution dated 26.03.2017 which were initially challenged by the petitioners in CWP no.1330 of 2018 has been dismissed by observing that no ground for granting such relief has been made out. While passing the said order, the learned Single Judge has also directed the listing of writ petition for final disposal as and when physical hearing starts.

Learned counsel for the appellants, on the basis of interim orders which have been passed by different Single Benches, in pursuance thereto constitution of the Committee and the report of the said Committee,

interim relief which has been prayed through the application which has been rejected by the learned Single Judge. He, therefore, prays that the order dated 18.01.2021 passed by the learned Single Judge be set aside and the prayer of the applicant-appellant as made in the application should be allowed.

We have considered the submissions made by learned counsel for the appellants but do not find ourself in agreement with him. Had the matter been that simple, the learned Single Judge on a prior date would not have admitted the writ petition. Further during the pendency of the writ petition since the year 2018, till the admission of said writ, no stay was granted by the Court. At this belated stage, i.e. after four years of passing of the impugned orders/ letters/ resolution, if the said prayer as made in the application is accepted, that would amount to granting relief which has been prayed by the appellant in the writ petition itself.

We do not find any reason for interfering in the impugned order passed by the learned Single Judge dated 18.01.2021. In any case, the writ petition has been ordered to be listed for final disposal as and when physical hearing starts, therefore, the appellants will have liberty to make a mention to the Bench where the matter is listed at that stage.

The present appeal being devoid of merits, therefore, stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

July 13, 2021

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No