

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

LPA-534-2022

Decided on: 06.07.2022

Bharat Petroleum Corporation Ltd. and another

.....Appellants

Versus

Khushwinder Singh Sidhu and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Raman Sharma, Advocate
for the appellants.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 02.06.2022 passed by the learned Single Judge vide which notice of the application to the non-applicant/petitioners has been issued for the date already fixed in the main case. The said application has been alleged to be in pursuance to the order dated 20.05.2022 passed by the Court wherein liberty was so granted for vacation of the interim stay by moving an application.

Counsel for the appellants states that by granting a long date which has been fixed in the main case, the very purpose of moving an application for vacating the interim stay in favour of the petitioners would be rendered infructuous. This plea of the counsel for the appellants cannot be accepted in the light of the fact that learned Single Judge is still seized of the matter and there is nothing which would indicate that if the writ petition is not heard on an earlier date, any irreparable loss would be caused.

We do not find any ground or justification for accepting the plea as has been made in the present appeal. In any case, the present appeal is not maintainable in the light of the fact that no right has been determined by the learned Single Judge, therefore, no question of filing the present appeal arises.

With the above observations, the present appeal is dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

06.07.2022

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No