

126

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

CWP-12190-2023

Date of decision: 31.05.2023

Raunak Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ish Puneet Singh, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 4.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.1 to consider and decide the statutory appeal (Annexure P-2) filed by the petitioner against the order dated 24.04.2023 (Annexure P-1).

2. Learned counsel for the petitioner has submitted that against the order dated 24.04.2023, the petitioner had filed statutory appeal dated 17.05.2023 along with an application for stay and even though it was listed for 25.05.2023, the same was not taken up as the Court was not being held and it was adjourned to 01.06.2023. It is thus, prayed that respondent No.1 be directed to take up the said statutory appeal on 01.06.2023 for

preliminary hearing and consider the same along with application for stay on the said date and pass an appropriate order on the same within a fixed time.

3. Learned State Counsel has submitted that every endeavour would be made by respondent No.1 to take up the said appeal on 01.06.2023 for preliminary hearing along with the application for stay and appropriate orders on the application for stay would be passed within a period of one week from 01.06.2023.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.1 to take up the appeal on 01.06.2023 for preliminary hearing along with the application for stay and to pass appropriate orders in accordance with law within a period of one week from the said date.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1 would consider the appeal of the petitioner along with the stay application independently and in accordance with law.

31.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**