

115

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

CWP-14584-2023

Date of Decision: July 13, 2023

Kuldip Singh Sodhi

.....Petitioner

Versus

Superintending Canal Officer, Ferozepur Canal Circle, Ferozepur and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.SPS Tinna, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing respondent No.1 to decide the stay application/appeal bearing Appeal case No.4005/218W, dated 05.07.2023, Annexure P-2, which is pending adjudication before it. It is further prayed that till the decision of the appeal, the stay order be granted in favour of the petitioner.

It has been contended by counsel for the petitioner that appeal has already been filed alongwith stay application but till date neither appeal is listed nor there is any hearing on the stay application filed by the petitioner. He submits that due to this, the petitioner is suffering irreparable loss. He has drawn attention of this Court to the letter dated 04.07.2023, where the police help has also been sought for implementing the order without hearing the stay application filed by the petitioner alongwith appeal.

Notice of motion.

On asking of the Court, Mr.Charanpreet Singh, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State and submits that stay application would be heard and decided by respondent No.1 expeditiously.

After hearing counsel for the parties, this Court is convinced that petitioner has already filed an appeal and he has a right to be heard for redressal of his grievances. Hence, respondent No.1 is directed to take up the appeal and hear the parties on the stay application within two weeks from today and decide the same (stay application) expeditiously.

Disposed of accordingly.

July 13, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |