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

**CWP-20020-2023**

**Date of Decision: September 12, 2023**

Jai Bir alias Jaivir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ**

Present: Mr.Vikram Singh, Advocate  
for the petitioner.

.....

**RAJESH BHARDWAJ, J.(ORAL)**

Petitioner has approached this Court praying for issuance of a writ in the nature of mandamus for staying the operation and implementation of the order dated 24.08.2023, Annexure P-2, during pendency of the appeal with stay application, dated 28.08.2023, Annexure P-3, till the decision of the stay application/appeal as till date the stay application has not been decided whereas the matter is of urgent nature and appeal of the petitioner has been adjourned for 05.10.2023.

It has been contended by counsel for the petitioner that statutory appeal has already been filed by the petitioner alongwith stay application, however, without hearing the same, the case has been fixed for 05.10.2023. He has submitted that his stay application was not heard and the respondents are taking further action.

Notice of motion.

On asking of the Court, Ms.Upasana Dhawan, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondents/State

and apprises the Court, on instructions from Sh.Ram Kumar, Assistant Divisional Commissioner, that the appeal alongwith the stay application is fixed for 05.10.2023 and the stay application would be heard on that date.

In view of the statement made by learned State counsel, the present petition is disposed of with a direction to respondent No.2, i.e. the Commissioner, Faridabad Division, Faridabad, to take up the appeal alongwith stay application on 05.10.2023 and hear the parties on stay application and decide the same on the same date, in accordance with law.

September 12, 2023  
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( RAJESH BHARDWAJ )  
JUDGE

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