

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CWP-24180-2022

Date of decision: - 17.02.2023

Manjeet Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Naresh Chander, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ, order or direction in the nature of certiorari for quashing of the impugned order dated 29.09.2022 (Annexure P-6) passed by respondent No.1 whereby the stay application of the petitioner has been declined

On 09.11.2022, Co-ordinate Bench of this Court was pleased to pass the following order: -

“It is submitted that a perusal of order dated 29.09.2022 passed by the State Government shows that ISI Pipes were in fact used, thus, refusal of stay is perverse.

Notice of motion.

Mr. Charanpreet Singh, AAG, Punjab, accepts notice on behalf of all the respondents-State and waives service.

Adjourned to 17.02.2023.

Meanwhile, there shall be a stay of the order of suspension.

(SUDHIR MITTAL)
JUDGE

09.11.2022”

Learned counsel for the petitioner has submitted that the appeal against the suspension order dated 20.06.2022 (Annexure P-2) is pending for today and has prayed that he would limit his prayer to seeking directions to respondent No.1 to decide the said appeal expeditiously within a time bound frame and till that time, the interim relief granted by a Co-ordinate Bench of this Court vide order dated 09.11.2022 be continued.

Learned State counsel has submitted that they have no objection to the said course of action. It is, however, submitted that the grant of interim stay should not be construed as an expression on the merits of the case and respondent No.1 would decide the said appeal independently, in accordance with law.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to respondent No.1 to decide the appeal of the petitioner pending against the order dated 20.06.2022 (Annexure P-2), as expeditiously as possible, preferably, within a period of one month from today and till the time the said appeal is decided, interim order dated 09.11.2022 granted by a Co-ordinate Bench of this Court will continue.

It is made clear that the grant of interim order should not be construed as an expression on the merits of the case and respondent No.1 would decide the said appeal independently, in accordance with law.

February 17, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No