

130

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2023:PHHC:132053

CWP-22976-2023

Date of Decision: 11.10.2023

Ayush Sharma

..... 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)

Prayer in the present petition is for staying the operation and implementation of the orders dated 29.08.2023 (Annexure P-2), order dated 07.08.2023 (Annexure P-1), during the pendency of the Executive Appeal with stay application dated 29.09.2023 (Annexure P-3) till the decision of the stay application/Executive Appeal as the matter has been adjourned for 16.11.2023 straightway without hearing the stay application.

It has been contended by learned counsel for the petitioner that appeal alongwith stay application has been filed by the petitioner and without having been heard, the stay application is now fixed for hearing on 16.11.2023. He submits that by that time the appeal would be rendered infructuous as the respondents have already initiated the process for the execution of the impugned orders.

Notice of motion.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the State. On instructions from Mr. Sant, ADA, Divisional Commissioner, Karnal she has submitted that respondent No.2 holds the Court once in a month as he is having additional charges. She submits that the stay application filed by the petitioner alongwith the appeal, is pending for 16.11.2023.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.2-Commissioner, Karnal Division, Karnal to hear the stay application filed by the petitioner on the date fixed and decide the same expeditiously in accordance with law.

Status quo as on date shall be maintained till the decision of the stay application.

11.10.2023		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No