

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 1816 of 2013 (O&M)
Date of Decision: 20.11.2023

Sub Inspector Mahesh Kumar No. 681/NNLAppellant
versus
State of Haryana and othersRespondents

CORAM: HON’BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON’BLE MR. JUSTICE AMAN CHAUDHARY, JUDGE

Present : Dr. Suresh Kumar Redhu, Advocate, for the appellant.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

RITU BAHRI, ACTING CHIEF JUSTICE (oral)

The appellant has filed this appeal against the impugned order dated 09.11.2023 vide which the learned Single Judge has declined the prayer of staying the departmental proceedings during the pendency of the criminal trial and issued only notice of motion to the respondents for 17.01.2024. The grievance of the appellant is that no interim order has been passed in favour of the appellant.

Learned Additional Advocate General appearing for the respondent-State of Haryana has relied upon the decision rendered by the Supreme Court in the case of *Midnapore Peoples’ Coop. Bank Ltd. and others Vs. Chuni Lal Nanda and others 2006(5) SCC 399*, wherein it has been held that a Letters Patent Appeal is not maintainable against an interim order.

After hearing learned counsel for the parties and in view of the law laid down by the Supreme Court, the appeal filed by the appellant stands disposed of granting liberty to the appellant to approach the learned Single Judge by filing appropriate application, if so advised.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

20.11.2023
ravinder

Whetherspeakingreasoned	√Yes/No
Whetherreportable	Yes/No√