

2025:PHHC:123835-DB



LPA-2766-2025 (O&M)

Date of Decision: 10.09.2025

Sunil Kumari

...Appellant

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Chetan Mittal, Sr. Advocate with
Mr. Mayank Mittal, Advocate for the appellant.

Mr. Pankaj Middha, Addl. AG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Single Judge vide order impugned has rejected the interim prayer of the appellant against her termination order.
2. When the matter is taken up, an objection is taken with regard to the maintainability of the appeal on the ground that the order under challenge only deals with the prayer of interim relief and the impugned order, therefore, cannot be construed as a judgment, against which alone a '*Letter Patent Appeal*' is maintainable.
3. It is submitted that even otherwise the writ is against the termination order and grant of interim relief in the matter, would virtually grant of main relief in the writ petition.

4. Learned senior counsel for the appellant, however, submits that the order of the learned Single Judge makes certain observations which have been travelling on the merits of the case and, therefore, the appeal itself is liable to be entertained.

5. Be that as it may, it is undisputed that the appellant has been terminated from service. Law is settled that ordinarily interim order ought not be passed in such like matters as grant of interim relief would amount to grant of final relief at the interim stage itself.

6. In such circumstances, we are not persuaded to interfere in the present appeal. However, in the facts and circumstances of the case, we request the learned Single Judge to dispose of the writ petition at an early date as per convenience of Bench and for such purpose, we direct the parties to appear before the learned Single Bench on 29.09.2025. It is, however, clarified that the observations made herein above would not be construed as an expression of opinion for the final determination of the lis on merits.

7. The appeal is disposed of with the aforesaid observations.

8. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

10.09.2025

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