



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

LPA-3566-2025 (O&M)

Date of Decision:13.01.2026

HARYANA POWER GENERATION CORPORATION LIMITED

....APPELLANT(S)

VERSUS

ROHITAS KUMAR AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present: Mr. Pravindra Singh Chauhan, Advocate General, Haryana
with Mr. Sanjeev Kaushik, Addl., AG, Haryana
for the appellant.

Mr. Rajesh Garg, Senior Advocate assisted by
Ms. Neha Matharu, Advocate
for the respondents.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. This Letters Patent Appeal (*LPA*) is directed against the order(s) passed by the learned Single Judge dated 11.11.2025 and 28.11.2025, whereby the order of compulsory retirement has been stayed.

2. It is submitted on behalf of the appellant-State that the order passed by the learned Single Judge grants final relief inasmuch as the continuance of the respondents can only be a consequence of quashing the impugned order itself, and that the nature of the relief granted is wholly impermissible.

3. Learned Senior Counsel for the respondents/petitioners has raised an objection to the maintainability of the appeal on the ground that the order impugned is an interim order, and an appeal under Clause X of the Letters Patent would be maintainable only against a judgment.

4. Though an appeal would be maintainable under Clause X of

the Letters Patent against a judgment but where the relief granted is of a nature having trappings of finality, an appeal would be maintainable even against an interim order.

5. Though various submissions are advanced on the merits of the case, we do not deem it appropriate to make any observations on the merits at this stage. However, considering the facts and circumstances of the present case, we are of the view that since the matter is pending before the learned Single Judge, it would be appropriate to request the learned Single Judge to take up the pending application for vacation of stay and decide the same preferably in the month of February, 2026 itself.

6. We also grant liberty to the appellant-State to move an application for preponement of the date for the aforesaid purpose. We further record the statement of the respondents-petitioners that till the disposal of the stay vacation application, the contempt petition shall not be pressed.

7. In view of the above, the instant appeal stands disposed of.

8. Pending applications, if any, shall also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[RAMESH CHANDER DIMRI]
JUDGE

JANUARY 13, 2026
Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No