

W.P.9062/13

**30.12.2013**

Shri R.K. Soni, Advocate for the petitioners.

Shri Ragvendra Dixit, G.A. for the respondents/State.

I.A.No.9484/13 is taken up and allowed.

Heard on admission.

This petition is directed against the order dated 09.12.2013 whereby the Commissioner has rejected the application for stay of the petitioner.

Shri R.K. Soni, learned counsel for the petitioners submits that while rejecting the said application the only finding is given that no case is made out for grant of ex-parte stay and therefore application for stay should have been kept pending to hear it by-party after perusing the record. Shri Ragvendra Dixit submits that he has no objection and order dated 09.12.2013 may be suitably modified.

In view of the aforesaid, order dated 09.12.2013 to the extent the petitioners application for stay was rejected by Commissioner is set aside. The application for ad-interim relief shall be treated as pending. It is made clear that this Court has not expressed any opinion on the merits of the case.

Petition is disposed of.

bj/-

**(Sujoy Paul)**  
**Vacation Judge**