

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
SPECIAL APPEAL NO. 572 OF 2015

State of Uttarakhand and another.Appellants.

Versus

S.D. SharmaRespondent

Mr. P.C. Bisht, Standing Counsel for the appellants.
Mr. Sanjay Bhatt, Advocate for the respondent.

Dated: 30.10.2015

Coram: Hon'ble K.M. Joseph, C.J.
 Hon'ble V.K. Bist, J.

K.M. Joseph, C.J. (Oral)

Learned Standing Counsel would point out that firstly, the learned Single Judge has granted stay of an order, which was not even challenged. Secondly, the writ petitioner, who was not eligible, has been asked to work as Officiating Principal of the concerned Institution and it causes injustice.

2. Heard the learned counsel for the parties.

3. After hearing the learned counsel for the parties, we are of the view that it is an interim order, therefore, the Appeal will not be maintainable; we are not inclined to interfere with the order as such. We leave it open to the appellant to move the Court either for vacating the stay order or for early disposal of the matter. In case a request for early disposal of the matter is made by the appellant, we request the learned Single Judge to dispose of the matter as early as possible. We record the submission of the learned counsel for the respondent that he will cooperate in the early disposal of the matter.

4. The Appeal is dismissed.

5. Let a copy of this order be issued today itself.

(V.K. Bist, J.)
30.10.2015

(K.M. Joseph, C.J.)
30.10.2015