
(2017) 06 UK CK 0016
In the Uttarakhand High Court
Case No : 190 of 2017

Devendra Singh

APPELLANT

Vs

State of Uttarakhand and others

RESPONDENT

Date of Decision : 06-06-2017

Acts Referred:

Citation : (2017) 06 UK CK 0016

Hon'ble Judges : K.M. Joseph, Alok Singh

Bench : Division Bench

Advocate : Virendra Kaparwan, ?C.S. Rawat, ?Jitendra Chaudhary, ? Rakesh Thapliyal

Final Decision : Dismissed

Judgement

1. This Appeal is sought to be maintained against the order dated 04.05.2017 passed by the learned Single Judge, by which the order impugned in the Writ Petition was stayed till the next date of listing.
2. We heard Mr. Virendra Kaparwan, learned counsel on behalf of the appellant, Mr. C.S. Rawat, Additional Chief Standing Counsel on behalf of the State, Mr. Jitendra Chaudhary, learned counsel on behalf of respondent no. 5 and Mr. Rakesh Thapliyal, learned counsel for the Society.
3. No doubt, learned counsel for the appellant would point out that this is a case, where though the learned Single Judge directed that the appellant be impleaded, till date the said order

has not been complied with. We are also told that on the date, on which the matter stood posted, as per the impugned order, the impugned order has been extended.

4. In the circumstances, we would think that by the tenor of the impugned order, we cannot treat it as a judgment within the meaning of Rule 5 Chapter VIII of the High Court Rules. On this short ground, we are not inclined to entertain this Appeal.

5. Accordingly, the appeal will stand rejected. However, we leave it open to the appellant to seek impleadment and also vacation of the interim order. We leave open all the contentions of the appellant.

6. Subject to the same, the application for leave to appeal and the Appeal will stand dismissed as not maintainable.