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SLP(C)No. 5785 OF 2004
ITEM No.27

Court No.11

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.5785/2004

(From the judgement and order dated 06/11/2003 in CM 25131/02
in CWP No.12304/02 of The HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH)

HARDEV SINGH SODHI

Petitioner (s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent (s)

(With prayer for interim relief)

Date : 02/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. A.K. Chopra, Sr.Adv.
Mr. Aashish Chopra,Adv.
Mr. P.N. Puri,Adv.
For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

Perused the impugned order refusing the interim relief, alternatively for preponement of the hearing. The application has been rejected with an observation that the prayers were only misconceived. We feel that an application moved for interim relief could not be said to be misconceived. It is a different matter that the case for grant of interim relief may or may not be made out. Hence, the question as to whether interim relief is to be granted or not is to be decided keeping in mind the prima facie merits of the matter. Since we are not inclined to entertain this petition for consideration of the prayer for interim relief we dismiss the special leave petition with the observation that the petitioner shall be at liberty to move a fresh application for interim relief before the High Court, which shall be considered on merits and disposed of according to law.

(A.S. BISHT)(PROMILA NAGPAL)
COURT MASTER

COURT MASTER