

he could have challenged the decision in a separate writ petition before the High Court. But the order of the learned single judge was not amenable to the intra-court appeal and the division bench of the High Court seriously erred in entertaining the appeal and passing the impugned order staying the operation of the order passed by the single judge for the simple reason that when the appeal was filed there was no subsisting lis or any proceeding pending before the High Court.

It would be proper for the petitioner to make the aforesaid submission before the division bench of the High Court where the appeal remains pending.

With the aforesaid observations, both these Special Leave Petitions are disposed of.

(V.K. Tiwari)
P.A.

(S.S.R. Krishna)
Court Master