

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 340 of 2020***(Arising out of order dated 07.08.2020 passed by the learned Single Judge in Writ Petition (S) No. 3124 of 2020)*

- Smt. Vinishita Kumar Aged About 39 Years D/o Mr. R. Naag W/o Mr. S. Kumar, R/o Ramkrishna Mission Aashram, Aashram Ward, Narayanpur, District.- Narayanpur, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary / Upper Secretary Department of Tribal And Shceduled Caste Development, New Raipur, District.- Raipur, C.G.
2. Collector District Narayanpur, Narayanpur, Chhattisgarh.
3. Ram Krishna Mission Aashram Through The Secretary, Ram Krishna Mission Aashram, Naraynpur, Chhattisgarh.

---- Respondents

For Appellant : Shri Raza Ali, Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Judgment on Board**Per P. R. Ramachandra Menon, Chief Justice****28.08.2020**

1. The appeal has been filed against the order dated 07.08.2020 passed by the learned Single Judge in WPS No. 3124 of 2020.
2. A query was raised by this Court as to the maintainability of the appeal, it having been preferred against an interim order, by virtue of statutory bar under Section 2 of (1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006, scope of which has been explained by a Full Bench of this Court in WA No. 255 of 2016 vide judgment dated 25.01.2016. It has been held that only if the interim order is having the character of finally deciding the 'lis', would the appeal be maintainable.

3. The learned counsel for the Appellant seeks for permission to withdraw the matter without prejudice to the rights and liberties of the Appellant to file appropriate proceedings before the learned Single Judge for redressal of the grievance, also by molding prayers with reference to the nature and status of the 3rd Respondent it being a private institution.
4. In the said circumstance, permission is granted. Appeal is dismissed as withdrawn.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge