

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 4046 OF 2004

SUSHILA RAY

Appellant (s)

VERSUS

CHAIRPERSON,CENTRAL SOCIAL WEL.BOARD&ORS

Respondent(s)

(With office report)

Date: 22/05/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. M.N. Krishnamany, Sr. Adv.

Mr. B.P. Yadav, Adv.

Mr. Vinay Singh, Adv.

Mr. Rameshwar Prasad Goyal,Adv.

For Respondent(s)

Mr. S. Wasim A. Qadri, Adv.

Mr. Mohit Kumar, Adv.

Mr. L.R. Singh, Adv.

Mr. Anukul Raj, Adv.

Mr. Gopal Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard Mr. M.N. Krishnamany, learned Senior Counsel f

or the

appellant and Mr. Wasim A. Qadri and Mr. Anukul Raj, learned counsel for the
respective respondents.

l be no Appeal is disposed of in terms of the signed order. There shall
orders as to costs.

(A.D. Sharma) (Madhu
Saxena) Court Master Court
Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4046 OF 2004

Smt. Sushila Ray ...Appellant

Versus

The Chairman, Central Social Welfare Board & Ors. ...Respondents

O R D E R

Heard Mr. M.N. Krishnamany, learned Senior Counsel for the
appellant and Mr. Wasim A. Qadri and Mr. Anukul Raj, learned

counsel for the respective respondents.

This appeal is directed against the order dated 30.7.2003 passed by the High Court of Judicature at Patna in I.A. No.2524 of 2003 in CWJC no.4924 of 2003. The High Court declined to grant interim relief as prayed for by the appellant for the reasons recorded in the said order. The High Court has given ample reasons as to why they are not inclined to grant interim relief as prayed for by the appellant in the interlocutory application.

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It is submitted by both the sides that the impugned writ petition itself is pending for final hearing on the file of the High Court.

We are, therefore, not inclined to dispose of this appeal which was filed

against an interim order on merits. Since the writ petition is pending,

liberty is reserved to the appellant herein to approach the High Court

to fix an early date of hearing of the writ petition. On such application

being made, the High Court is at liberty to consider the same on merits

and dispose of the same in accordance with law as expeditiously as

possible.

The appeal is accordingly disposed of. There shall be no

orders as to costs.

.....J.

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(Dr. AR. Lakshmanan)

.....J.

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(Lokeshwar Singh Panta)

New Delhi,

May 22, 2006.