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WA-2705-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 13th OF NOVEMBER, 2025

WRIT APPEAL No. 2705 of 2025

THE STATE OF MADHYA PRADESH AND OTHERS

Versus

NEHA JAIN AND OTHERS

.....
Appearance:

Shri Swapnil Ganguly - Deputy Advocate General for the appellants/State.

Shri Aditya Awasthy - Advocate for respondent No.1.

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WITH

WRIT APPEAL No. 2640 of 2025

SMT. SARITA JAIN

Versus

NEHA JAIN AND OTHERS

.....
Appearance:

*Shri Sanjay Ram Tamrakar - Senior Advocate with Shri Raman Choubey -
Advocate for appellant.*

Shri Aditya Awasthy - Advocate for respondent No.1.

*Shri Swapnil Ganguly - Deputy Advocate General for respondents No.2, 3 &
4/State.*

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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

Writ Appeal No.2640/2025 has been filed by Smt. Sarita Jain
contending that after the order passed for removing the respondent No.1 Smt.



Neha Jain, she was nominated on 29.08.2025 and as such she is directly affected by the result of the said appeals as well as the writ petition.

2. Learned counsel for the appellants i.e. State of Madhya Pradesh and Smt. Sarita Jain pray that the appeals be disposed of with a request to the learned Single Judge to expeditiously consider the writ petition and dispose of the same in accordance with law. They however pray that the observations made in interim order dated 03.09.2025 be not treated as final observations but may be treated as prima facie observations.

3. It is settled position of law that any observations on merits by a Court entertaining an interim prayer are prima facie observations and cannot be treated to be conclusive findings of fact or law.

4. In view of the above, the appeals are disposed of in the following terms:-

(i) Smt. Sarita Jain is impleaded as a respondent in the subject Writ Petition No.34618/2025.

(ii) The original respondents as well as Smt. Sarita Jain shall file a counter affidavit within one week as prayed. Rejoinder, if any, be filed within one week thereafter.

(iii) The learned Single Judge is requested to expeditiously consider the writ petition and dispose of the same as early as possible in accordance with law.

(iv) The observations in the interim order dated 03.09.2025 on merits of the case shall be treated as prima facie observations and shall not be taken into account by the learned Single Judge at the time of final disposal



of the petition.

(v) It would be open to the appellants to approach the learned Single Judge for vacation, modification or variation of the interim order dated 03.09.2025 in accordance with law.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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