

HIGH COURT OF MADHYA PRADESH : JABALPUR

NOTIFICATION

No. Q/PRJ/04

Dated : 16/01/2020

ROSTER / ASSIGNMENT FOR THE BENCH AT GWALIOR
FROM 20.01.2020 to 24.01.2020

In supersession of all earlier Orders / Notification, Hon'ble the Chief Justice has been pleased to order that the following Roster / Assignment on Board shall be in force from **20th January, 2020 to 24th January, 2020:-**

DIVISION BENCH

1. **DIVISION BENCH –I** : **Hon'ble Shri Justice Sheel Nagu**
Hon'ble Shri Justice Rajeev Kumar Shrivastava

(Also Commercial Appellate Division
under Commercial Courts, Commercial Division
and Commercial Appellate Division of High Courts Act, 2015)

1. All the matters arising out of the Judgments / Orders passed by the Commercial Courts which are under territorial Jurisdiction of the Bench at Gwalior of High Court of Madhya Pradesh.
2. All Public Interest Litigation matters for admission / orders / final hearing.
3. All Writ Petition relating to Mines & Minerals and Environment for admission / order / final hearing.
4. All Writ / Civil Vires matters for admission / orders / Final Hearing.
5. All Writ Petition pertaining to Municipal Corporation / Municipalities / Other Local Bodies relating to encroachment, removal, hoarding, obstructions on public roads for admission / order / Final Hearing.
6. All Writ Petition involving construction of National Highways for admission /orders / Final Hearing.
7. All VYPAM Matters for admission / orders / Final Hearing.
8. All Writ Petition relating to Street Vendors / Vending for admission / order / Final Hearing.
9. All Writ Appeals for admission / orders / final hearing.
10. All Writ Petition relating to Contract / Tender concerning Government / public

undertakings / local bodies / statutory bodies for admission / orders / Final Hearing.

11. All DB Arbitration / Company / Taxation matters for admission / orders / Final Hearing.
12. Criminal Appeals for admission / orders / Final Hearing as notified in the Daily / Supplementary / Weekly list of DB-I.
13. All category Pre-admission / Final Hearing Writ / Civil /Criminal DB matters as notified in the Daily / Supplementary/ Weekly List.
14. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
15. All category Writ / Civil /Criminal DB matters, which are not to be listed before DB-II, shall be notified in the Daily/Supplementary/ Weekly List of DB-I. (Note: Preference for hearing will be given to the matters related to Commercial Appellate Division, Arbitration Matters, Company Matters and Tax Matters).

2. **DIVISION BENCH –II** : **Hon’ble Shri Justice S.A. Dharmadhikari**
Hon’ble Shri Justice Vishal Mishra

1. All DB Contempt Matters for admission / order / final hearing.
2. All Habeas Corpus Matters, for admission / orders / Final Hearing.
3. Writ Petition relating to admission to and recognition / affiliation of professional education courses for admission / order / final hearing.
4. First Appeals – Matrimonial for admission / order / final hearing.
5. All Cases pertaining to Public Premises (Eviction of Unauthorized Occupants) Act, 1971, M.P. government premises (Eviction) Act, 1952 and Lok Parisar (Bedakhali) Adhinyam 1974 for admission / orders / final hearing.
6. All Cases pertaining to the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 for admission / orders / final hearing.
7. Criminal Appeals for admission / orders / Final Hearing as notified in the Daily / Supplementary / Weekly list of DB-II.

8. All category Pre-admission / Final Hearing Writ / Civil /Criminal DB matters as notified in the Daily / Supplementary/ Weekly List.
9. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
10. All category Writ / Civil /Criminal DB matters, which are not to be listed before DB-I, shall be notified in the Daily/Supplementary/ Weekly List of DB-II.

SINGLE BENCHES

3. **SINGLE BENCH- I** : **Hon'ble Shri Justice Sheel Nagu**
(Subject to DB work or from 02:30 p.m.,
whichever is earlier)

1. All SB Arbitration matters for admission / orders / Final Hearing.
2. All SB Tax Matters for admission / orders / Final Hearing.
3. All category Pre-admission / Final Hearing Writ / Civil / Criminal SB matters as notified in the Daily / Supplementary List.
4. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
(Note: Preference for hearing will be given to Arbitration Matters and Tax Matters).

4. **SINGLE BENCH- II** : **Hon'ble Shri Justice Sushrut Arvind Dharmadhikari**
(Subject to DB work or from 02:30 p.m.,
whichever is earlier)

1. All assigned Election Petitions.
2. All SB Company matters for admission / orders / Final Hearing.
3. All category Pre-admission / Final Hearing Writ / Civil / Criminal SB matters as notified in the Daily / Supplementary List.
4. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
(Note: Preference for hearing will be given to Election Petitions & Company Matters).

5. **SINGLE BENCH – III** : **Hon'ble Shri Justice Anand Pathak**

1. All assigned Election Petitions.
2. All category Pre-admission / Final Hearing Writ / Civil / Criminal SB matters as notified in the Daily / Supplementary List.
3. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
(Note: Preference for hearing will be given to Election Petitions).

6. **SINGLE BENCH – IV** : **Hon’ble Shri Justice Gurpal Singh Ahluwalia**
1. All assigned Election Petitions.
 2. All category Pre-admission / Final Hearing Writ / Civil / Criminal SB matters as notified in the Daily / Supplementary List.
 3. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
- (Note: Preference for hearing will be given to Election Petitions).
7. **SINGLE BENCH –V** : **Hon’ble Shri Justice Rajeev Kumar Shrivastava**
(Subject to DB work or from 02:30 p.m., whichever is earlier)
1. All assigned Election Petitions.
 2. All category Pre-admission / Final Hearing Civil / Criminal SB matters as notified in the Daily / Supplementary List.
 3. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.
- (Note: Preference for hearing will be given to Election Petitions).
8. **SINGLE BENCH –VI** : **Hon’ble Shri Justice Vishal Mishra**
(Subject to DB work or from 02:30 p.m., whichever is earlier)
1. All category Pre-admission / Final Hearing Writ / Civil / Criminal SB matters as notified in the Daily / Supplementary List.
 2. All specially assigned matters as notified in the Daily/Supplementary/Weekly List.

Note:-

1. Part heard/specially assigned matters (excluding reserved for Judgment/Orders) shall cease to be part heard/specially assigned with change of assignment, unless a written request for continuation of the matter before the same Bench is made by the parties and is approved by Hon’ble the Chief Justice.
2. All matters which are ordered to be connected/linked will be listed as one item/serial number.
3. (a) Mentioning of all (D.B. / S.B.) matters not notified in the Daily / Weekly List be made before the Hon’ble Division Bench-I. However, mentioning of matters already notified in the Daily / Weekly List shall be made before the concerned Hon’ble Division Bench / Single Bench, where the matter is so listed.
(b) Mentioning of SB Arbitration matters, Tax Matters, Company Matters and Election matters, be made before the concerned Hon’ble assigned Bench.

- (c) Mentioning of all (D.B./S.B.) pre-admission matters in which Computer generated date has been authenticated by the Principal Registrar be made before D.B.-I, only if the party is not satisfied with the date so assigned and seeks for preponement or postponement of that date.
 - (d) The Computer generated date authenticated by the Principal Registrar of pre-admission matters, henceforth, is treated as Court given date and the matter will be listed on that date before the concerned Bench as per the assignment, without any exception. There is no need to mention these cases before the Court.
 - (e) If for some reason Division Bench-I is not functioning, Mentioning of all (DB / SB) matters not notified in the Daily / supplementary list will be made before available senior most Division Bench.
4. The Advocates and parties may mention any matter ready for final hearing and is left out from the current weekly list, which is older than the oldest of same category of cases listed in the weekly list, before the Principal Registrar from 10.30 a.m. to 11.30 a.m. on any working day for inclusion in the quarterly list so that it can find place in the following week as per its turn.
 5. The Weekly List will consist of matters taken from the Consolidated/ Quarterly List category-wise distributed amongst the concerned Benches in proportionate lots chronologically.
 6. Under the listing scheme, all pre-admission cases have been assigned specific computer generated / court order dates. Therefore, filing of urgent hearing applications in these cases is not required.
 7. If any Final Hearing case fits in two or more categories of priority category, then direction can be given by the Principal Registrar to include it in the category where it would get priority, if not properly positioned in the list already notified by the Registry.
 8. Repeat Bail Applications u/s 438, 439, applications u/s 389 of the Cr.P.C., applications u/s 53 Juvenile Justice (Care and Protection of Children) Act 2000 and applications u/s Sec. 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 shall be listed before the Hon'ble Judge who decided the first bail application. However, if the Hon'ble Judge, who decided the first application, is not available :-
 - (a) due to change of Roster or not available for any other reason for the period exceeding 7 Court working days, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for listing of subsequent bail applications. Provided that where the first bail application is decided by any Hon'ble Judge and the subsequent bail application is decided by another Hon'ble

Judge and both are available for hearing, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for listing of further subsequent repeat bail application.

- (b) due to change in headquarter, transfer, elevation or retirement, the above mentioned applications shall not be placed before Hon'ble the Chief Justice for nomination of Bench, these matter shall be listed before Regular Bench as per Roster.
9. All bail applications under section 438 & 439 Cr.P.C. arising from the same crime number of the same Police Station and application for suspension of sentence under section 389 / 397 Cr.P.C / Section 53 Juvenile Justice (Care and Protection of Children) Act 2000 / Sec. 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 arising from the same judgment / orders filed by the different applicants separately will be listed before the same Hon'ble Judge(s). However, if the same Hon'ble Judge(s) is/are not available :-
- (a) due to change of Roster or not available for any other reason for the period exceeding 7 Court working days, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for listing of subsequent bail application of co-accused persons. However, if previous applications for bail/suspension of sentence have been disposed of by different Hon'ble Judges and both are available for hearing, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for listing of the subsequent fresh bail application of co-accused persons.
 - (b) due to change in headquarter, transfer, elevation or retirement, the above mentioned applications shall not be placed before Hon'ble the Chief Justice for nomination of Bench, these matter shall be listed before Regular Bench as per Roster.
10. Repeat Appeal(s) regarding Bail filed under section 14A (2) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by the Amendment Act, 2015 shall be listed before the Hon'ble Judge who decided the first Appeal regarding bail. However, if the Hon'ble Judge, who had decided the first Appeal regarding Bail, is not available :-
- (a) due to change of Roster or not available for any other reason for the period exceeding 7 Court working days, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for listing of subsequent Appeal(s) regarding Bail. Provided that where the first Appeal regarding Bail is decided by any Hon'ble Judge and the subsequent Appeal regarding Bail is decided by another Hon'ble Judge and both are available for hearing, then the matter be

placed before Hon'ble the Chief Justice for nomination of the Bench for hearing the subsequent Appeal(s) regarding Bail.

- (b) due to change in headquarter, transfer, elevation or retirement, the above mentioned applications shall not be placed before Hon'ble the Chief Justice for nomination of Bench, these matter shall be listed before Regular Bench as per Roster.
11. All Appeal(s) regarding Bail under section 14A (2) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by the Amendment Act, 2015 arising from the same order filed by the different Appellant(s) separately will be listed before the same Hon'ble Judge(s). However, if the same Hon'ble Judge(s) is/are not available :-
- (a) due to change of Roster or not available for any other reason for the period exceeding 7 Court working days, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for hearing of subsequent Appeal(s) regarding Bail of co-appellant persons. However, if previous Appeal(s) regarding Bail have been disposed of by different Hon'ble Judges and both are available for hearing, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for hearing of the subsequent fresh Appeal(s) regarding Bail of Appellant(s).
 - (b) due to change in headquarter, transfer, elevation or retirement, the above mentioned applications shall not be placed before Hon'ble the Chief Justice for nomination of Bench, these matter shall be listed before Regular Bench as per Roster.
12. Criminal Revision filed u/s 397(1) and/or 401 of the Cr.P.C. and Miscellaneous Criminal Cases filed u/s 482 of the Cr.P.C. and bail u/s 438 & 439 of the Cr.P.C. arising out of same crime number and same police station and/or same case number of Trial Court / Appellate Court and Cases belonging to the same class arising from the same Judgment/order shall be listed before the Hon'ble Judge who decided the first Criminal Revision, bail applications and M.Cr.C. however if the Hon'ble Judge, who decided the first is not available :-
- (a) due to change of Roster or not available for any other reason for the period exceeding 7 Court working days, then the matter be placed before Hon'ble the Chief Justice for nomination of the Bench for hearing of the subsequent, Criminal Revisions, Bail Applications and M.Cr.C. Provided that where the first Criminal Revisions, Bail Applications and M.Cr.C. is decided by any Hon'ble Judge/Bench and the subsequent Criminal revision, Bail Application and M.Cr.C. is decided by another Hon'ble Judge/ Bench and both are available for hearing, then the matter

be placed before Hon'ble the Chief Justice for nomination of the Bench for hearing of the subsequent, Criminal Revisions, Bail Applications and M.Cr.C.

- (b) due to change in headquarter, transfer, elevation or retirement, the above mentioned applications shall not be placed before Hon'ble the Chief Justice for nomination of Bench, these matter shall be listed before Regular Bench as per Roster.
13. If any Division Bench is not functioning due to non-availability of any one Hon'ble Member of that Division Bench, the Single Bench presided over by the available Hon'ble Member of that Division Bench will function for full day.
14. If any Hon'ble Members of the Single Benches is not available, Cases assigned to that Single Bench shall be equally distributed before other Single Benches to whom substantial nature of cases are assigned.
15. Not reached/left over fresh admission matters shall be listed in the following week in suitable lots. The not reached / left over after notice cases will be assigned auto-generated returnable dates spread out in suitable lots after six weeks. However, matters pertaining to stay/vacating stay/condonation of delay shall be listed on the following third working day. This is to ensure that the daily list / supplementary list for the following week does not get oversized. The returnable dates of concerned cases will be notified on the High Court official website in the case status of that case as also on the list/board for the next Court working day, for the information of the litigants and lawyers. In either case, if the Court orders to the contrary in exceptionally urgent matters, the Court given date will prevail.

BY ORDER OF
HON'BLE THE CHIEF JUSTICE

Sd/-
(Manoj Kumar Shrivastava)
Principal Registrar (Judicial)

APPROVED

Sd/-
CHIEF JUSTICE