

**HIGH COURT OF MADHYA PRADESH : JABALPUR
DIVISION BENCH - SPL-I (Time 10:30 AM)**

Daily Cause List dated : 16-12-2020

**BEFORE: HON'BLE THE ACTING CHIEF JUSTICE & HON'BLE SHRI JUSTICE VIJAY KUMAR
SHUKLA**

Hearing through Video Conferencing

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	WP 15435/2018	SMT. JYOTI JAIN Versus M/S HAZI COMPANY (A PARTNERSHIP FIRM)	MADHUSUDAN DWIVEDI, ABHISHEK BAJPAI, AKASH VIJAYVARGIYA ADVOCATE GENERAL, AJINKYA PATIL[R-1], LOKENDRA PAWAR[R-1], RISHIRAJ UPADHYAY[R-1], PAWAN SACHDEV[R-1], SANJAY PATHAK[R-1], SHANTANU VAKTE[R-1], VANDANA RATHORE[R-1], VISHAL MODIWAL[R-1], NILESH AGRAWAL[R-1], ARUN ARORA[R-1], VINOD KAUSHAL[R-2], ANURAG BAIJAL[R-2], HARSHWARDHAN SINGH[R-2][R-3] [R-3][R-3][R-4][R-4][R-5][R-5][R-6][R-6][R-6]
		LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 CIVIL PROCEDURE & LIMITATION-11300 - Code of Civil Procedure, 1908-11301 - WRIT AGAINST ORDER OF SUBORDINATE COURT U/ARTICLE 227. Relief - TO QUASH THE IMPUGNED ORDER ANN P/13 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDER ON THE FOLLOWING QUESTIONS: (I) WHETHER, THE REVENUE COURT CAN AMEND AN ENTRY IN THE REVENUE RECORD AT A DISTANCE OF TIME OF 25/16 YEARS WHILE CIVIL DISPUTE OF TITLE TO THE PROPERTY BETWEEN THE PARTIES IS PENDING, BASED ON A FINDING IN A DIFFERENT SUIT THAT POWER OF ATTORNEY HOLDER DID NOT HOLD LAWFUL POWER OF ATTORNEY WHILE EXECUTED PREVIOUS SALE DEEDS AT DIFFERENT POINTS OF TIME, BUT NEITHER THE PETITIONER WAS PARTY TO THE SAID SUIT NOR THE SALE DEED IN QUESTION WAS THE SUBJECT-MATTER OF THE SUIT. AND (II) WHETHER THE BOARD OF REVENUE EXCEEDED ITS JURISDICTION WHILE EXERCISING THE REVISIONAL JURISDICTION UNDER SECTION 50 OF THE CODE REGARD BEING HAD TO THE PROVISIONS AS CONTAINED IN SECTION 111 OF THE CODE WHILE SETTING ASIDE THE ORDERS OF SDO DATED 31.01.2014 AND ADDITIONAL COMMISSIONER DATED 20.05.2014.? 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION	
1.1	Linked WP 16793/2018	GANGOTRI DEVELOPERS PVT. LTD. Versus M/S HAZI COMPANY (A PARTNERSHIP FIRM)	MADHUSUDAN DWIVEDI LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 CIVIL PROCEDURE & LIMITATION-11300 - Code of Civil Procedure, 1908-11301 - WRIT AGAINST ORDER OF SUBORDINATE COURT U/ARTICLE 227. Relief - to set aside the impugned order dated 04/04/2018 ann.p/17 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDER ON THE FOLLOWING QUESTIONS: (I) WHETHER, THE REVENUE COURT CAN AMEND AN ENTRY IN THE REVENUE RECORD AT A DISTANCE OF TIME OF 25/16 YEARS WHILE CIVIL DISPUTE OF TITLE TO THE PROPERTY BETWEEN THE PARTIES IS PENDING, BASED ON A FINDING IN A DIFFERENT SUIT THAT POWER OF ATTORNEY HOLDER DID NOT HOLD LAWFUL POWER OF ATTORNEY WHILE EXECUTED PREVIOUS SALE DEEDS AT DIFFERENT POINTS OF TIME, BUT NEITHER THE PETITIONER WAS PARTY TO THE SAID SUIT NOR THE SALE DEED IN QUESTION WAS THE SUBJECT-MATTER OF THE SUIT. AND (II) WHETHER THE BOARD OF REVENUE EXCEEDED ITS JURISDICTION WHILE EXERCISING THE REVISIONAL JURISDICTION UNDER SECTION 50 OF THE CODE REGARD BEING HAD TO THE PROVISIONS AS CONTAINED IN SECTION 111 OF THE CODE WHILE SETTING ASIDE THE ORDERS OF SDO DATED 31.01.2014 AND ADDITIONAL COMMISSIONER DATED 20.05.2014.? 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION
1.2	Linked WP 16908/2018	GANGOTRI DEVELOPERS PVT. LTD. Versus M/S HAZI COMPANY (A PARTNERSHIP FIRM)	MADHUSUDAN DWIVEDI, ABHISHEK BAJPAI, AKASH VIJAYVARGIYA , AJINKYA PATIL[CAVEAT], PAWAN SACHDEV[CAVEAT], VANDANA RATHORE[CAVEAT], SANJAY PATHAK[CAVEAT], SHANTANU VAKTE[CAVEAT], ARUN ARORA[CAVEAT], LOKENDRA PAWAR[R-1][R-1], RISHIRAJ UPADHYAY[R-1][R-1][R-1][R-1], NILESH AGRAWAL[R-1][R-1], KUSHAGRA JAIN[R-2][R-3] [R-4][R-7]

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BEFORE: HON'BLE THE ACTING CHIEF JUSTICE & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620
CIVIL PROCEDURE & LIMITATION-11300 - Code of Civil Procedure, 1908-11301 - WRIT AGAINST ORDER OF SUBORDINATE COURT U/ARTICLE 227.

Relief - quash the impugned order dated 04/04/2018 ann.p/16

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ORDER ON THE FOLLOWING QUESTIONS: (I) WHETHER, THE REVENUE COURT CAN AMEND AN ENTRY IN THE REVENUE RECORD AT A DISTANCE OF TIME OF 25/16 YEARS WHILE CIVIL DISPUTE OF TITLE TO THE PROPERTY BETWEEN THE PARTIES IS PENDING, BASED ON A FINDING IN A DIFFERENT SUIT THAT POWER OF ATTORNEY HOLDER DID NOT HOLD LAWFUL POWER OF ATTORNEY WHILE EXECUTED PREVIOUS SALE DEEDS AT DIFFERENT POINTS OF TIME, BUT NEITHER THE PETITIONER WAS PARTY TO THE SAID SUIT NOR THE SALE DEED IN QUESTION WAS THE SUBJECT-MATTER OF THE SUIT. AND (II) WHETHER THE BOARD OF REVENUE EXCEEDED ITS JURISDICTION WHILE EXERCISING THE REVISIONAL JURISDICTION UNDER SECTION 50 OF THE CODE REGARD BEING HAD TO THE PROVISIONS AS CONTAINED IN SECTION 111 OF THE CODE WHILE SETTING ASIDE THE ORDERS OF SDO DATED 31.01.2014 AND ADDITIONAL COMMISSIONER DATED 20.05.2014.?**

01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

1.3 **Linked**
WP
23215/2018

RAMESH NAGAR

RAVINDRA SINGH CHHABRA, GAURAV CHHABRA,
MANISH VERMA, ANITA PATHAK, GURNEET CHAWLA,
MUDIT MAHESHWARI, KANISHKA GUPTA

Versus

THE STATE OF MADHYA
PRADESH

ADVOCATE GENERAL, RAVINDRA MAHESHWARI[R-3],
RISHIRAJ UPADHYAY[R-3], VISHAL MODIWAL[R-3],
ASHISH SHARMA[R-3], NILESH AGRAWAL[R-3],
DINESH KUMAR MAHESHWARI[R-3], ANURAG
BAIJAL[R-4], VINOD KAUSHAL[R-4], HARSHWARDHAN
SINGH[R-4][R-5][R-5][R-6][R-6][R-6][R-7][R-7][R-
7][R-8][R-8][R-8]

LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620

Relief - SET ASIDE THE ORDER DT.04/04/2018(ANN.P-7)

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ORDER ON THE FOLLOWING QUESTIONS: (I) WHETHER, THE REVENUE COURT CAN AMEND AN ENTRY IN THE REVENUE RECORD AT A DISTANCE OF TIME OF 25/16 YEARS WHILE CIVIL DISPUTE OF TITLE TO THE PROPERTY BETWEEN THE PARTIES IS PENDING, BASED ON A FINDING IN A DIFFERENT SUIT THAT POWER OF ATTORNEY HOLDER DID NOT HOLD LAWFUL POWER OF ATTORNEY WHILE EXECUTED PREVIOUS SALE DEEDS AT DIFFERENT POINTS OF TIME, BUT NEITHER THE PETITIONER WAS PARTY TO THE SAID SUIT NOR THE SALE DEED IN QUESTION WAS THE SUBJECT-MATTER OF THE SUIT. AND (II) WHETHER THE BOARD OF REVENUE EXCEEDED ITS JURISDICTION WHILE EXERCISING THE REVISIONAL JURISDICTION UNDER SECTION 50 OF THE CODE REGARD BEING HAD TO THE PROVISIONS AS CONTAINED IN SECTION 111 OF THE CODE WHILE SETTING ASIDE THE ORDERS OF SDO DATED 31.01.2014 AND ADDITIONAL COMMISSIONER DATED 20.05.2014.?**

01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

TOTAL CASES : 4 (with connected matters)

PR (J) / R (J-I) / R(J-II)