

## HIGH COURT OF MADHYA PRADESH : JABALPUR

LARGER BENCH - I (Time 2:30 PM)

Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE &amp; HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI &amp; HON'BLE SHRI JUSTICE VIVEK JAIN

Court Hall No.: 1

**NOT E:-** All the Advocates are requested to submit a list of cases, in which compromise/amicable settlement is possible in the forthcoming permanent & continuous Lok Adalat. The list of cases may be submitted in the office of M.P. High Court Legal Services Committee, Jabalpur or may also be sent through email mphclsc@gmail.com, sechclscjbp@mp.gov.in at the earliest.

In compliance of Court order dated 28.05.2024 passed in CRA 10947/2019 (Ram Singh Vs State of MP), it is to inform that Counsels cannot appear in Criminal Appeals on the basis of memo of appearance and they will have to necessarily file Vakalatnama. They may do so during the vacation, failing which, after vacation Hon'ble Court may not entertain appearance on the memo of appearance

**MOTION HEARING****[DIRECTION MATTERS]**

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	<b>MP 04838/2024</b>	MAHENDRA SHIVHARE  Versus  MUNNI BAI & <i>Ors.</i>	PRAMENDRA SINGH THAKUR DISHA SINGH, ADITYA SINGH RAJPUT, ANUPAM SONI  ADVOCATE GENERAL[R-13], MOHIT HANDA[R-1], SHREYA CHOURASIYA[R-1], DEEPAK SAHU[R-1], NITIN GUPTA[R-1], AYUSH SHIVHARE[R-1][R-2][R-2][R-2][R-2][R-3][R-3][R-3][R-3][R-3][R-4][R-4][R-4][R-4][R-5][R-5][R-5][R-5]
		<p>LAND REVENUE , TENANCY &amp; NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - QUASH THE IMPUGNED ORDER DATED 29/05/2023, 26/04/2024  {FIXED DATE (COURT ORDER) COVID-19} <b>FOR ORDERS TO DECIDE THE FOLLOWING QUESTIONS- A. WHETHER IN VIEW OF SECTION 31 OF MPLR CODE READWITH THE NATURE OF JURISDICTION CONFERRED IN TERMS OF SECTION 257 THEREOF, REVENUE COURTS ARE COURTS AND NOT MERE QUASI JUDICIAL AUTHORITIES IN VIEW OF DIVISION BENCH JUDGMENT IN CASE OF DANGALIA VS. DESHRAJ, REPORTED IN 1973 MPLJ 796 AND WHETHER THE SUBSEQUENT DIVISION BENCH TAKING A DIFFERENT VIEW IN BABULAL VS. RAJVEER (RP 869/2021) HAS LAID DOWN THE CORRECT LAW ? B. IF REVENUE COURTS ARE COURTS, THEN WHETHER DESPITE NOT BEING A ADMINISTRATIVELY SUBORDINATE COURT TO THE HIGH COURT UNDER ARTICLE 235, THE REVENUE COURTS ARE JUDICIALLY SUBORDINATE TO THE HIGH COURT IN VIEW OF LAW LAID DOWN BY THE SUPREME COURT IN CASE OF S.K. SARKAR, MEMBER, BOARD OF REVENUE, LUCKNOW VS. VINAY CHANDRA REPORTED IN 1981 (1) SCC 436 ? C. IF YES, THEN WHETHER A PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA WILL LIE AGAINST THE ORDERS PASSED BY THE REVENUE COURTS IF IN VIEW OF THE 5 JUDGE SPECIAL BENCH JUDGEMENT OF THIS COURT IN THE CASE MANOJ KUMAR VS. BOARD OF REVENUE, REPORTED IN 2008 (1) MPLJ 152, LOOKING TO THE NATURE OF RELIEF SOUGHT FROM THE HIGH COURT, SUPERVISORY JURISDICTION OF THE HIGH COURT IS OTHERWISE INVOCABLE ? (IN THIS REGARD, KIND ATTN. IS INVITED ON ADMINISTRATIVE ORDER DTD.04-12-2024).</b>  01-ARTICLE 227 OF THE CONSTITUTION</p>	
2	<b>WP 11356/2024</b>	RAMLAL JHARIYA  Versus  THE STATE OF MADHYA PRADESH & <i>Ors.</i>	JAYANT NEEKHRA SANJEEV NEEKHRA  ADVOCATE GENERAL

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

CUSTOM & EXCISE-12200 - M.P. Excise Act, 1915-12220 - M.P. Excise Act, 1915-12220

Relief - TO QUASH THE ORDER DATED 14.08.2023 (ANNEXURE P/1)

{FIXED DATE (COURT ORDER) COVID-19} **15. IN THE VIEW OF THIS COURT, FOLLOWING QUESTIONS EMERGE FOR DECISION:- (A) WHETHER, ANY ARTICLES OR VEHICLES CAN BE CONFISCATED UNDER SECTION 47(A) OF THE M.P. EXCISE ACT, 1915 DURING THE PENDENCY OF CRIMINAL TRIAL INITIATED AGAINST THE OFFENDERS BEFORE THE JUDICIAL COURTS? (B) WHETHER, THE DICTUM LAID DOWN BY THE APEX COURT IN THE MATTER OF MADHUKAR RAO VS. STATE OF M.P., (2008) 14 SCC 624 IS APPLICABLE TO THE CASES REGISTERED UNDER SECTION 34(2) AND THE CONFISCATION PROCEEDINGS UNDER SECTION 47(A) OF THE ACT, 1915? (C) WHETHER, THE CONFISCATION PROCEEDINGS CAN GO ON PARALLEL TO THE CRIMINAL PROCEEDINGS AND COLLECTOR CAN PASS THE ORDER OF CONFISCATION IRRESPECTIVE TO THE PENDENCY OF CRIMINAL CASE? (D) WHETHER, THE COORDINATE BENCHES WERE JUSTIFIED IN DELIVERING THE CONFLICTING VIEWS WITHOUT REFERRING THE MATTER UNDER CHAPTER IV RULE 8(3) OF THE HIGH COURT RULES, 2008 AND THE CONFLICTING VIEW IN THE ABSENCE OF ANY REFERENCE CAN BE CONSIDERED AS BINDING PRECEDENT, IN VIEW OF THE DOCTRINE OF STARE DECISIS? (E) WHETHER, WRIT PETITION CAN BE ENTERTAINED AGAINST THE ORDER OF CONFISCATION, IN VIEW OF JUDGMENT OF APEX COURT IN THE MATTER OF WHIRLPOOL CORPORATION VS. REGISTRAR OF TRADE MARKS, (1998) 8 SCC 1 AND JUDGMENT OF DIVISION BENCH OF THIS COURT IN THE MATTER OF ALOK KUMAR CHOUBEY VS. STATE OF M.P., (2021) 1 MPLJ 348, ON THE GROUND THAT COLLECTOR HAD NO AUTHORITY TO PASS ANY ORDER OF CONFISCATION DURING THE PENDENCY OF CRIMINAL CASE?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

**2.1** **Linked**  
**WP**  
**18164/2024**

BHISHM SINGH THAKUR

VIJAY SHUKLA SHAILENDRA SINGH RAJPUT, VIVEK RANJAN PANDEY[P-1], ALOK KUMAR GUPTA[P-1]

Versus

THE EXCISE COMMISSIONER  
MADHYA PRADESH GWALIOR **& Anr.** ADVOCATE GENERAL ADVOCATE GENERAL[R-1][AG][R-2][AG]

CUSTOM & EXCISE-12200 - M.P. Excise Act, 1915-12220 - M.P. Excise Act, 1915-12220  
Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 09.05.2024 (ANNEXURE P/10)  
{Mention Memo/CS/RA COVID-19} **FOR ADMISSION AND I.R. (NOTE: RETURN FILED BY RES. NO. 1 AND 2) (NOTE: IN VIEW OF MENTION MEMO DTD. 13.02.2025 FOR LISTING ALONGWITH WP 11356/2024 BEFORE LARGER BENCH)**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

**2.2** **Linked**  
**WP**  
**18492/2024**  
**Adjustment**

SANJAY YADAV

SHIVAM MISHRA ABHINAV SHRIVASTAVA, PRIYANSHU DUBEY, CHANDRA PRAKASH KUSHWAHA

Versus

THE STATE OF MADHYA PRADESH **& Ors.** ADVOCATE GENERAL ADVOCATE GENERAL[R-1][AG][R-3][AG]

CUSTOM & EXCISE-12200 - M.P. Excise Act, 1915-12220 - M.P. Excise Act, 1915-12220  
When one party is court or Judicial Officer - DISTRICT COURT - DISTRICT COURT  
Relief - SET ASIDE THE IMPUGNED ORDER DATED 05/08/2022, 18/096/2023, 23/03/2024  
{FIXED DATE (COURT ORDER) COVID-19} **FOR NON COMPLIANCE OF HON'BLE C.O.DT- 24/07/2024, COUNSEL FOR RESPONDENT AMENDED MEMO OF PARTIES NOT FILED TILL YET. RESPONDENT NO.02 HAS BEEN DELETED BY HON.C.O. DT 24/07/2024 WHICH WAS JUDICIAL PARTY.THEREFORE THIS CASE IS TO BE LISTED BEFORE SINGLE BENCH.**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

**ADJUSTMENT NOTE**

SHIVAM MISHRA 17-02-2025 TO 18-02-2025

**2.3** **Linked**  
**MCRC**  
**35204/2024**

SATISH JAISWAL

RAHUL KUMAR TRIPATHI SUNIL KUMAR MISHRA

Versus

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL

Excise Act - S. 34(2), BHARTIYA NAGRIK SURAKSHA SANHITA - S. 528,  
CRIMINAL LAW & PROCEDURE-12100 - THE BHARATIYA NAGARIK SURAKSHA SANHITA 2023-12107 - SECTION 528.  
Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 30.07.2024  
{FIXED DATE (COURT ORDER) COVID-19} **FOR ADMISSION**

**2.4** **Linked**  
**MCRC**  
**37906/2024**

DHARMENDRA KUMAR TOMAR

ALOK KUMAR DWIVEDI DHIRESH SINGH DUBEY, UMESH KUMAR NEEKHAR, CHANDRA PRAKASH PATEL

Versus

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

CrPC - S. 482, Narcotic Drugs and Psychotropic Substances Act - S. 8/21/22,  
CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - SECTION 482.  
Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 30.05.2024.

{FIXED DATE (COURT ORDER) COVID-19} **FOR ADMISSION AND IA NO.22247/2024-APPLICATION FOR GRANT OF INTERIM SUPERDNAMA OF DESIRE CAR TILL THE PENDENCY OF PETITION**

2.5	<b>Linked</b> <b>WA</b> <b>02763/2024</b>	SMT. JYOTI CHAKRAWARTY	DURGESH KUMAR SINGRORE SANDESH DIXIT, KAPIL SINGH CHANDEL
		Versus	ADVOCATE GENERAL
		THE STATE OF MADHYA PRADESH & <b>Anr.</b>	WP 32024/2024- DURGESH KUMAR SINGRORE,SANDESH DIXIT,KAPIL SINGH CHANDEL,RAHUL SINGH RAJPUT
			CUSTOM & EXCISE-12200 - M.P. Excise Act, 1915-12220 - M.P. Excise Act, 1915-12220 Relief - SET ASIDE THE IMPUGNED ORDER DATED 25/10/2024 {FIXED DATE (COURT ORDER) COVID-19} <b>FOR ADMISSION</b> WRIT APPEAL U/S 2(1) OF THE MADHYA PRADESH UCCHA NYAYALAYA ADHINIYAM 2005
3	<b>WP</b> <b>14177/2024 (S)</b>	PRABHAKAR YEMDE	VIJAY KUMAR SHUKLA SUDARSHANA SHUKLA, SATYENDRA JYOTISHI
		Versus	ADVOCATE GENERAL ADVOCATE GENERAL[R-1][AG][R-2][AG][R-3][AG]
		THE STATE OF MADHYA PRADESH & <b>Ors.</b>	SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Pension SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Leave Encashment SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Gratuity Relief - TO DIRECT THE RESPONDENTS BE ORDERED TO GRANT THE BENEFIT {FIXED DATE (COURT ORDER) COVID-19} <b>"WHETHER THE TEACHERS OF SCHOOLS RECEIVING GRANT-IN-AID UNDER THE UNAMENDED PROVISIONS OF M.P. ASHASHKIYA SHIKSHAN SANSTHAN (ADHYAPAKON TATHA ANYA KARMCHARIYON KE VETANO KE SANDAY) ADHINIYAM, 1978 WOULD UPON ABSORPTION IN GOVERNMENT SERVICE BE ENTITLED TO COUNTING OF PAST SERVICES FOR PURPOSE OF PENSION, IN VIEW OF RULE 2 (II) (D) OF M.P. CIVIL SERVICES PENSION RULES, 1976 AND RULE 10 OF ASHASHKIYA SHIKSHAN SANSTHAN (INSTITUTIONAL FUND) RULES, 1983?" AND IA NO.1740/2025-DOCUMENT TAKEN ON RECORD</b> 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
4	<b>WP</b> <b>23359/2024</b> <b>(CR)</b>	CHETAN	AKHIL GODHA NIKHIL KUMAR GODHA, ABHILASHA JAIN, KARAN KACHHWAHA
		Versus	ADVOCATE GENERAL ADVOCATE GENERAL[R-2]
		THE STATE OF MADHYA PRADESH & <b>Ors.</b>	CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - Code of Criminal Procedure, 1973-12102 {FIXED DATE (COURT ORDER) COVID-19} <b>FOR CONSIDERING FOLLOWING QUESTIONS:- (1) WHETHER IN VIEW OF THE JUDGMENT OF THE SUPREME COURT IN CASES OF ABDUL VAHAB (SUPRA) (IN PARTICULAR PARA 21 AS QUOTED ABOVE) AND KALLO BAI (SUPRA), THE CONFISCATION PROCEEDINGS UNDER SECTION 11(5) OF THE ADHINIYAM, 2004 AND RULE 5 OF RULES, 2012 CAN BE INITIATED AND PROSECUTED SIMULTANEOUSLY WITH THE CRIMINAL TRIAL BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS FOR THE OFFENCE PUNISHABLE UNDER SECTION 9 OF THE ADHINIYAM, 2010 ? (2) WHETHER THE DISTRICT MAGISTRATE CAN ADJUDICATE VIOLATION OF SECTION(S) 4, 5, 6, 6A AND 6B OF THE ADHINIYAM, 2004 BEFORE CONCLUSION OF TRIAL BY THE JUDICIAL MAGISTRATE FOR OFFENCE PUNISHABLE UNDER SECTION 9 OF THE ADHINIYAM, 2004 ? (3) WHETHER THE WRIT PETITION CAN BE ENTERTAINED AGAINST THE CONFISCATION ORDER PASSED BY THE DISTRICT MAGISTRATE UNDER SECTION 11(5) OF THE ADHINIYAM, 2004 DESPITE AVAILABILITY OF EQUALLY EFFICACIOUS ALTERNATE RELIEF OF APPEAL UNDER SECTION 11A OF THE ADHINIYAM AND REVISION UNDER SECTION 11B OF THE ADHINIYAM, 2004 ON THE GROUND THAT THE COLLECTOR CANNOT DECIDE THE VIOLATION OF SECTIONS 4, 5, 6, 6A AND 6B OF THE ADHINIYAM, 2004, UNTIL DECISION OF THE CRIMINAL COURT AFTER TRIAL FOR CONTRAVENTION OF AFORESAID SECTIONS?</b> 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Indore Bench

TOTAL CASES : 9 (with connected matters)

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



## HIGH COURT OF MADHYA PRADESH : JABALPUR

## LARGER BENCH - I (Time 2:30 PM)

Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE &amp; HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI &amp; HON'BLE SHRI JUSTICE VIVEK JAIN

Court Hall No.: 1

**NOT E:-** All the Advocates are requested to submit a list of cases, in which compromise/amicable settlement is possible in the forthcoming permanent & continuous Lok Adalat. The list of cases may be submitted in the office of M.P. High Court Legal Services Committee, Jabalpur or may also be sent through email mphclsc@gmail.com, sechclscjbp@mp.gov.in at the earliest.

In compliance of Court order dated 28.05.2024 passed in CRA 10947/2019 (Ram Singh Vs State of MP), it is to inform that Counsels cannot appear in Criminal Appeals on the basis of memo of appearance and they will have to necessarily file Vakalatnama. They may do so during the vacation, failing which, after vacation Hon'ble Court may not entertain appearance on the memo of appearance

**MOTION HEARING****[DIRECTION MATTERS]**

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
5	WP 17858/2020	SPECIAL POLICE ESTABLISHMENT (LOKAYUKAT) ORGANIZATION Versus THE STATE OF MADHYA PRADESH	SUSHANT TIWARI SANKALP SHARMA[P-1] ADVOCATE GENERAL
		CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Municipal and Local Bodies {FIXED DATE (COURT ORDER) COVID-19} <b>QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?</b> 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	
	<b>Connected</b>		
5.1	WP 10286/2020	RAMKISHOR GUPTA Versus THE STATE OF MADHYA PRADESH & <b>Ors.</b>	PRASHANT SHARMA SEETARAM KUSHWAH, PRASHANT SINGH KAURAV ADVOCATE GENERAL AJAY KUMAR CHATURVEDI[R-2], SANKALP SHARMA[R-2], DEEPAK KHOT[R-3], NAKUL KHEDKAR[R-3]
		CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002 Relief - TO QUASH AND SET ASIDE ANNEX. P/-1. {FIXED DATE (COURT ORDER) COVID-19} <b>QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?</b> 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	
	<b>Connected</b>		
5.2	WP 20836/2022	SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) MP. BHOPAL Versus	SANKALP SHARMA

Transfer From  
Gwalior BenchTransfer From  
Gwalior Bench

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

THE STATE OF MADHYA PRADESH & ADVOCATE GENERAL  
**Anr.**

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - QUASH THE ORDER DATED 16/08/2021

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

5.3 **Linked**  
**WP**  
**18071/2020**

SPECIAL POLICE ESTABLISHMENT  
LOKAYUKT ORGANIZATION

SUSHANT TIWARI SANKALP SHARMA[P-1]

Versus

THE STATE OF MADHYA PRADESH &  
**Ors.**

ADVOCATE GENERAL RAHUL AGRAWAL[R-2], TRILOK  
CHANDRA BANSAL[R-2], RAJMANI BANSAL[R-2], SUBHENDRA  
SINGH[R-2], BRIJENDRA  
SINGH[R-2][R-3][R-3][R-3][R-3][R-4][R-4][R-4][R-4][R-5  
][R-5][R-5], RINKU RATHOUR[R-5][R-5], RAJEEV JAIN[R-6],  
PRASUM KUMAR MAHESHWRI[R-6]

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - PETITION KINDLY BE ALLOWED AND QUASH THE ANN P/1 AND FOR DIRECTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

5.4 **Linked**  
**WP**  
**17982/2020**

SPECIAL POLICE ESTABLISHMENT  
(LOKAHYUKAT) ORGANIZATION MP

SUSHANT TIWARI SANKALP SHARMA[P-1]

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - PETITION MAY KINDLY BE ALLOWED AND THE ORDER ANNEXURES ANN P/1 KINDLY BE QUASHED

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

5.5 **Connected**  
**WP**  
**19275/2022**

SPECIAL POLICE  
ESTABLISHMENT(LOKAYUKTA)  
ORGANIZATION MADHYA PRADESH BHOPAL SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH & **Anr.** ADVOCATE GENERAL

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - PETITION KINDLY BE ALLOWED AND QUASHED THE ORDER DATED 29/10/2021 AND FOR DIRECTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

5.6 **Linked**  
**WP**  
**27398/2023**

THE SPECIAL POLICE  
ESTABLISHMENT LOKAYUKTA  
ORGANIZATION OF MADHYA PRADESH SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH & **Ors.** ADVOCATE GENERAL

Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE &amp; HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI &amp; HON'BLE SHRI JUSTICE VIVEK JAIN

CORRUPTION-12000 - Prevention of Corruption Act 1947-12001 - Prevention of Corruption Act 1947-12001  
Relief - PETITION MAY KINDLY BE ALLOW AND QUASH THE IMPUGNED ORDER

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench5.7 **Linked**  
**WP**  
**14358/2022**SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKT) MADHYA PRADESH  
BHOPAL SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERALCORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - QUASH THE ORDER DT.17/03/2021 (ANN.P-1) AND DIRECTION TO GIVEN TO THE RESPONDENT TO GIVE PERMISSION/SANCTION FOR PROSECUTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench5.8 **Linked**  
**WP**  
**14361/2022**SPECIAL POLICE ESTABLISHMENT  
LOKAYUKT M P BHOPAL SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH &  
**Anr.** ADVOCATE GENERALCORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - QUASH THE ORDER DT.16/08/2021 (ANN.P-1)

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench



## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

- 5.9** **Connected**  
**WP**  
**19544/2020**
- SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKT) ORGANIZATION SUSHANT TIWARI SANKALP SHARMA[P-1]
- Versus
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL
- CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - TO QUASH AND SET ASIDE THE IMPUGNED ORDER DATED 30.01.2020 (ANNEXURE P/1)  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1)**  
**WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/**  
**JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT**  
**SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY**  
**OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE**  
**AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF**  
**THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN**  
**ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION**  
**AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL**  
**POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR**  
**PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT)**  
**IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT**  
**AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM**  
**1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION**  
**THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN**  
**INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES**  
**CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- Transfer From**  
**Gwalior Bench**
- 
- 5.10** **Linked**  
**WP**  
**12424/2021**
- SPECIAL POLICE ESTABLISHMENT  
(LAKAYUKT) ORGANIZATION MP SUSHANT TIWARI SANKALP SHARMA[P-1]
- Versus
- THE STATE OF MADHYA PRADESH &  
**Anr.** ADVOCATE GENERAL
- CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - TO QUASH ANN P/1 AND REMAND THE MATTER FOR GRANT OF SANCTION FOR PROSECUTION  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1)**  
**WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/**  
**JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT**  
**SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY**  
**OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE**  
**AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF**  
**THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN**  
**ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION**  
**AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL**  
**POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR**  
**PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT)**  
**IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT**  
**AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM**  
**1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION**  
**THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN**  
**INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES**  
**CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- Transfer From**  
**Gwalior Bench**
- 
- 5.11** **Connected**  
**WP**  
**30016/2022**
- SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKTA) SANKALP SHARMA
- Versus
- THE STATE OF MADHYA PRADESH &  
**Anr.** ADVOCATE GENERAL

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - PETITION KINDLY BE ALLOWED AND QUASH THE ANNEX P-1 FOR DIRECTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

**Linked**  
5.12 WP  
30033/2022

SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKTA) ORGANIZATION THR. SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH & ADVOCATE GENERAL  
**Anr.**

CORRUPTION-12000 - Prevention of Corruption Act 1947-12001 - Prevention of Corruption Act 1947-12001  
Relief - PETITION KINDLY BE ALLOWED AND QUASH THE ANNEX P-1 FOR DIRECTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

**Linked**  
5.13 WP  
12654/2021

SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKT) ORGANIZATION SUSHANT TIWARI SANKALP SHARMA[P-1]

Versus

THE STATE OF MADHYA PRADESH & ADVOCATE GENERAL YOGENDRA TIWARI[R-2], ASHOK  
**Anr.** KUMAR SHAH[R-2]

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - PETITION KINDLY BE ALLOWED AND QUASHED THE ANNE P/1 AND FOR DIRECTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

**Linked**  
5.14 **WP** SPECIAL POLICE ESTABLISHMENT SANKALP SHARMA  
25310/2022

Versus

THE STATE OF MADHYA PRADESH & ADVOCATE GENERAL  
**Anr.**

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - TO QUASH ANN P/1 AND REMAND THE MATTER FOR GRANT OF SANCTION FOR PROSECUTION  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

**Linked**  
5.15 **WP** SPECIAL POLICE ESTABLISHMENT  
19877/2021 (LOKAYUKAT) THR. SUSHANT TIWARI SANKALP SHARMA[P-1]

Versus

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - FOR QUASH ANNE P/1 WITH DIRECTION TO GRANT SANCTION  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

**Linked**  
5.16 **WP** SPECIAL POLICE ESTABLISHMENT  
18237/2022 (LOKAYUKTA) ORGANIZATION SANKALP SHARMA  
MADHYA PRADESH BHOPAL

Versus

THE STATE OF MADHYA PRADESH & ADVOCATE GENERAL  
**Anr.**

Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE &amp; HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI &amp; HON'BLE SHRI JUSTICE VIVEK JAIN

CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - TO QUASH ANN P/1 AND REMAND THE MATTER FOR GRANT OF SANCTION FOR PROSECUTION

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench5.17 **Connected**  
WP  
24871/2021SPECIAL POLICE ESTAB LISHMENT  
(LOKAYUKT) ORGANIZATION THR. SUSHANT TIWARI SANKALP SHARMA[P-1]

Versus

THE STATE OF MADHYA PRADESH &  
**Anr.** ADVOCATE GENERALCORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - ANNEXURE P/1 MAY KINDLY BE QUASHED

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench5.18 **Connected**  
WP  
19362/2022THE ESTABLISHMENT OF LOKAYUKTA  
OF MADHYA PRADESH SANKALP SHARMA

Versus

THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERALCORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - SETTING ASIDE THE ORDER DATED 27/01/2020, 17/09/2021

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

- 5.19** **Connected**  
**WP**  
**30349/2024**
- SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKTA) ORGANIZATION  
MADHYA PRADESH BHOPAL
- SANKALP SHARMA SANKALP SHARMA[P-1]
- Versus
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL
- CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - FOR QUASHING THE IMPUGNED ORDER ANNEX.P/1  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- Transfer From**  
**Gwalior Bench**
- 
- 5.20** **Connected**  
**WP**  
**30346/2024**
- SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKTA) ORGANIZATION  
MADHYA PRADESH BHOPAL
- SANKALP SHARMA SANKALP SHARMA[P-1]
- Versus
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL
- CORRUPTION-12000 - Prevention of Corruption Act 1988-12002 - Prevention of Corruption Act 1988-12002  
Relief - TO QUASH AND SET ASIDE THE IMPUGNED ORDER DATED 09.01.2024 (ANNEXURE P/1)  
{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- Transfer From**  
**Gwalior Bench**
- 
- 5.21** **Linked**  
**WP**  
**30359/2024**
- SPECIAL POLICE ESTABLISHMENT  
(LOKAYUKTA) ORGANIZATION  
MADHYA PRADESH BHOPAL
- SANKALP SHARMA SANKALP SHARMA[P-1]
- Versus
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL

## Daily Cause List dated : 18-02-2025

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN

CORRUPTION-12000 - Prevention of Corruption Act 1947-12001 - Prevention of Corruption Act 1947-12001  
Relief - PETITION MAY KINDLY BE ALLOWED AND QUASHING THE IMPUGNED ORDER ANNEX P-1

{FIXED DATE (COURT ORDER) COVID-19} **QUESTIONS FOR REFERENCE ARE AS UNDER: (1) WHETHER SPECIAL POLICE ESTABLISHMENT (LOKAYUKTA) HAS ANY AUTHORITY/ JURISDICTION/ COMPETENCE TO CHALLENGE THE ORDER OF REFUSAL TO GRANT SANCTION FOR PROSECUTION BY THE GENERAL ADMINISTRATION DEPARTMENT (OR ANY OTHER DEPARTMENT OF THE STATE GOVERNMENT) IN RESPECT OF AN ALLEGATION MADE AGAINST ANY DELINQUENT PUBLIC SERVANT OR NOT ? (2) WHEN LEGISLATIVE INTENT OF THE LOKAYUKT EVAM UP- LOKAYUKT ADHINIYAM, 1981 WAS TO LOOK INTO AN ALLEGATION AGAINST PUBLIC SERVANT AND TO CHECK BREEDING OF CORRUPTION AMONGST THE PUBLIC SERVANTS THEN WHETHER IT GIVES MANDATES TO THE SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) TO CHALLENGE REFUSAL TO GRANT SANCTION FOR PROSECUTION OR WHETHER THE ROLE OF SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) IS CONFINED ONLY TO ENQUIRE INTO THE MATTER AND SUBMIT INVESTIGATION REPORT AND NOT BEYOND THAT ? (3) WHETHER M.P. LOKAYUKT EVAM UP-LOKAYUKT, ADHINIYAM 1981 AND SPECIAL POLICE ESTABLISHMENT ACT, 1947, IF ARE SEEN IN JUXTAPOSITION THEN IT GIVES AN IMPRESSION THAT SPECIAL POLICE ESTABLISHMENT (LOKAYUKT) CAN INVESTIGATE THE MATTER AND BRING THE CASE TO ITS LOGICAL END WHICH INCLUDES CHALLENGE TO REFUSAL TO GRANT SANCTION FOR PROSECUTION ?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

Transfer From  
Gwalior Bench

- 6 **WP**  
**11679/2021 (S)** ASHUTOSH MISHRA  
Versus  
ALOK KUMAR GUPTA SACHIN SHUKLA, UPENDRA KU  
TRIPATHI[P-1], VIVEK RANJAN PANDEY
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL DARSHAN  
SONI[R-1][AG][R-2][AG][R-3][AG][R-4][AG][R-5][AG][R-6][AG][R-7][AG][R-8][AG]
- SERVICE RELATING TO STATE GOVT.-17100 - Service Residuary-17143 - Service Residuary-17143  
Relief - KINDLY BE DIRECT THE RES. TO FRAME THE SERVICE CONDITION / RULE AND MAKE APPROPRIATE PROVISION  
FOR NON TEACHING EMPLOYEE  
{Mention Memo/CS/RA COVID-19} **MENTION MEMO ALLOW FOR LISTING 18/02/2025 ALONG WITH WP NO. 14177/2024 AS IDENTICAL MATTER AND PETITIONER WISH TO ADDRESS THE HON,BLE FULL BENCH ON QUESTION OF LAW. [ADMITTED ON : 16-03-2022]**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- 
- 6.1 **Linked**  
**WP**  
**04660/2016 (S)** RAMANAND SHUKLA & **Ors.**  
Versus  
PUSHPENNDRA KUMAR VERMA ROHIT SOHGAURA,  
KAMLESH KUMAR VERMA, SHRI ALOK KUMAR  
GUPTA[P-2][P-3][P-4][P-5][P-6][P-1], UPENDRA KU  
TRIPATHI[P-1]
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL ABDUL TAUWWAN  
FARIDEE[R-1][AG][R-2][AG][R-3][AG][R-4][AG][R-5][AG][R-6][AG][R-7][AG][R-8][AG][R-9][AG]
- RESIDUARY MATTERS-19800 - RESIDUARY MATTERS-19800 - RESIDUARY MATTERS-19800  
Relief - TO DIRECT THE RESPDT TO START DEDUCTION FROM THE SALARY FOR THE PURPOSE OF PENSION.  
{Mention Memo/CS/RA COVID-19} **FOR ORDER LIST ALONG WITH WP NO. 11679/2021 [ADMITTED ON : 16-03-2022]**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- 
- 6.2 **Linked**  
**WP**  
**20501/2016 (S)** SHASHI KUMAR NIGAM  
Versus  
ALOK KUMAR GUPTA
- THE STATE OF MADHYA PRADESH &  
**Ors.** ADVOCATE GENERAL SAMI DAD KHAN[R-2][AG], HIMANSHU  
MISHRA[R-1][AG][R-3][AG][R-4][AG][R-5][AG][R-6][AG]
- SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Pension  
Relief - TO DIRECT THE RESP. TO DETERMINE AND PAY THE CLAIM REGARDING PENSION, GRATUITY, GPF AND OTHER  
SERVICE BENEFIT  
{Mention Memo/CS/RA COVID-19} **FOR ORDER LIST ALONG WITH WP NO. 11679/2021 [ADMITTED ON : 16-03-2022]**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

TOTAL CASES : 25 (with connected matters)

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