

HIGH COURT OF MADHYA PRADESH : JABALPUR
FULL BENCH - I (Time 2:30 PM)

Daily Cause List dated : 22-09-2021

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

Court Room No.: 1

(FOR HYBRID SYSTEM OF PHYSICAL / VIRTUAL HEARING OF THE CASES)

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	WP 09623/2021	NITIN ENTERPRISES Versus THE STATE OF MADHYA PRADESH & Ors.	AMIT MISHRA ADVOCATE GENERAL, MANOJ MUNSHI[R-3], ANKIT MORE[R-3], VIKRAM MALVIYA[R-3], LUCKY JAIN[R-3], PRACHI JAIN[R-3][R-4] [R-4][R-4][R-4][R-4][R-5][R-5][R-5][R-5][R-5][R-5][R-6][R-6][R-6][R-6]
MERCHANTILE LAW-15000 - Contract Act, 1872-15002 - Contract Act, 1872-15002 Relief - TO SET ASIDE THE IMPUGNED ORDER {FIXED DATE (COURT ORDER) COVID-19} FOR CONSIDERING FOLLOWING QUESTIONS:- (I) WHETHER THE LOSS ARISING OUT OF BLACKLISTING ORDER CAN BE ASCERTAINABLE/ASCERTAINED AND HENCE FALLS WITHIN THE AMBIT OF SECTION 2(1)(D) OF THE ADHINIYAM. IF NOT, WHETHER THE FULL BENCH IN GOURI GANESH (SUPRA) AND DIVISION BENCH IN AWASTHI BROTHER CONSTRUCTION COMPANY (SUPRA) HAVE CORRECTLY OPINED THAT AGAINST BLACKLISTING ORDER ALSO CONTRACTOR HAS A REMEDY BEFORE THE TRIBUNAL CONSTITUTED UNDER THE ADHINIYAM ? (II) IF A COMPOSITE ORDER OF TERMINATION OF CONTRACT AND BLACKLISTING IS CALLED IN QUESTION IN A WRIT PETITION AND NO REMEDY IS AVAILABLE TO THE CONTRACTOR AGAINST THE BLACKLISTING ORDER BEFORE THE TRIBUNAL, WHETHER A WRIT PETITION AGAINST A COMPOSITE ORDER IS ENTERTAINABLE DESPITE AVAILABILITY OF REMEDY AGAINST THE TERMINATION OF WORKS CONTRACT UNDER THE ADHINIYAM ? 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION			

TOTAL CASES : 1 (with connected matters)

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