

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

Daily Cause List dated : 08-04-2021

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

Court Room No.: 1

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	IA No. 1478/2021 - DOCUMENT TAKEN ON RECORD in WP 03185/2021	SUBIR MUKHERJI	RAM BABU DUBEY, SUSHIL KUMAR SHUKLA, SANGEETA NANDA
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, BRAJESH UPADHYAY[R-2], SUDHA PANDIT[R-2], SHREYASH PANDIT[R-2], SMT. JANHAVI PANDIT[R-2], SANTOSH KUMAR SAHU[R-2], SARITA KOCHHAL[R-2], SHAILENDRA SINGH PATEL[R-2]
		EDUCATION-12700 - Admission to Professional Colleges.-12729 - Admission to Professional Colleges.-12729 Relief - DIRECT THE RESPONDENT NO.2 AND 3 TO ALLOW THE PETITIONER TO APPEAR IN THIRD SEMESTER EXAMINATION {FIXED DATE (COURT ORDER) COVID-19} FOR DECIDING THE FOLLOWING QUESTIONS OF LAW: (1) WHETHER IN VIEW OF CLAUSE 20 OF THE ORDINANCE 23A, A STUDENT WHO HAS ATKT IN ONE OR TWO PAPERS IN IST SEMESTER IS DEBARRED FROM APPEARING IN IIIRD SEMESTER EXAMINATION WITHOUT PASSING THE ATKT PAPER OF IST SEMESTER ? (2) WHETHER A HARMONIOUS READING OF CLAUSE 16 WITH CLAUSE 20 OF THE ORDINANCE 23A PERMITS THE ATKT, STUDENT OF IST SEMESTER TO APPEAR IN THE IIIRD SEMESTER EXAMINATION ALONGWITH ONE OR TWO UNCLEARED PAPERS OF IST SEMESTER WITH THE RIDER THAT THE RESULT OF IIIRD SEMESTER EXAMINATION CAN ONLY BE DECLARED WHEN HE HAS PASSED ONE OR TWO ATKT PAPERS OF IST SEMESTER AND HAS OBTAINED REQUISITE MARKS TO PROGRESS IN NEXT SEMESTER ? FOR ADMISSION AND I.R. AND IA NO.1478/2021-DOCUMENT TAKEN ON RECORD 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION	
1.1	Connected (2) IA No. 1533/2021 - INTERIM RELIEF,1727/2021 - INTERIM RELIEF in WP 03279/2021 WP/03185/2021 (M)	HAVITASHVA SHARMA	PANKAJ DUBEY, SHEETAL DUBEY, VIRENDRA SINGH, RAKESH KUMAR SHUKLA, AKSHAY KHANDELWAL, REETIKA GUPTA
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, BRAJESH UPADHYAY[R-2], SHAILENDRA SINGH PATEL[R-2], SARITA KOCHHAL[R-2], SANTOSH KUMAR SAHU[R-2], SMT. JANHAVI PANDIT[R-2], SHREYASH PANDIT[R-2], ANURADHA MUTATKAR[R-2], SUDHA PANDIT[R-2][R-3][R-3][R-3][R-3][R-3][R-3]
		EDUCATION-12700 - Matter Relating to Annual/Semester/Supplementary Exam of Professional Courses- 12737 - Matter Relating to Annual/Semester/Supplementary Exam of Professional Courses- 12737 Relief - TO QUASH THE ORDER DT. 15/01/2020 PASSED BY THE RESP. NO.2 {FIXED DATE (COURT ORDER) COVID-19} FOR DECIDING THE FOLLOWING QUESTIONS OF LAW: (1) WHETHER IN VIEW OF CLAUSE 20 OF THE ORDINANCE 23A, A STUDENT WHO HAS ATKT IN ONE OR TWO PAPERS IN IST SEMESTER IS DEBARRED FROM APPEARING IN IIIRD SEMESTER EXAMINATION WITHOUT PASSING THE ATKT PAPER OF IST SEMESTER ? (2) WHETHER A HARMONIOUS READING OF CLAUSE 16 WITH CLAUSE 20	

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**OF THE ORDINANCE 23A PERMITS THE ATKT, STUDENT OF IST SEMESTER
TO APPEAR IN THE IIIRD SEMESTER EXAMINATION ALONGWITH ONE OR
TWO UNCLEARED PAPERS OF IST SEMESTER WITH THE RIDER THAT THE
RESULT OF IIIRD SEMESTER EXAMINATION CAN ONLY BE DECLARED
WHEN HE HAS PASSED ONE OR TWO ATKT PAPERS OF IST SEMESTER AND
HAS OBTAINED REQUISITE MARKS TO PROGRESS IN NEXT SEMESTER ?
FOR ADMISSION AND IA NO.1533/2021-INTERIM RELIEF AND IA
NO.1727/2021-INTERIM RELIEF
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION**

TOTAL CASES : 2 (with connected matters)

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