

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

Daily Cause List dated : 09-09-2024

BEFORE: HON'BLE THE ACTING CHIEF JUSTICE & HON'BLE SHRI JUSTICE VIVEK AGARWAL & HON'BLE
SHRI JUSTICE VINAY SARAF

Court Hall No.: 1

NOTE:- 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	WA 00583/2020	RAMESHCHANDRA TEMNIYA Versus STATE OF M.P. & Ors.	SANJAY JAMINDAR[P-1], SWATI CHOUDHARY[P-1] ADVOCATE GENERAL[R-1][R-2][R-3][R-4]
	Transfer From Indore Bench	SERVICE RELATING TO OTHERS-17200 - Dismissal/Removal/Termination-17229 - Dismissal/Removal/Termination-17229 Relief - TO SET ASIDE THE ORDER DATED 10-01-2020 PASSED IN WP 8527/2018. {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDERS ON FOLLOWING QUESTION OF LAW: (1) WHETHER AN EMPLOYEE WHO DECLINED PROMOTION, IS ENTITLED TO GET BENEFIT OF KRAMONNATI?(2) WHETHER WITHDRAWAL OF KRAMONNATI ERRONEOUSLY GRANTED WITHOUT ANYTHING MORE AND WITHOUT ATTACHING ANY STIGMA AND PENAL CONSEQUENCES AMOUNTS TO PUNISHMENT?(3) WHETHER SUCH WITHDRAWAL OF UPGRADATION BENEFITS HITS ARTICLE 311 OF THE CONSTITUTION OF INDIA? WRIT APPEAL U/S 2(1) OF M.P. UCHHA NYAYALAYA(KHAND NYAYAPITH KO APPEAL ADHINIYAM, 2005	
2	WP 11500/2020	BANK OF BARODA Versus DISTRICT MAGISTRATE CUM COLLECTOR & Ors.	SHREYAS DUBEY ROHIT SHARMA AMOL SHRIVASTAVA[R-1][R-2], GIRISH KUMAR UKHALE[R-3], CHAMPALAL BAGDIYA[R-3], HITESH KANUNGO[R-3], PRASHANT SHARMA[R-3][R-4][R-4][R-4][R-5], ADVOCATE GENERAL[R-1][R-2]
	Transfer From Indore Bench	BANKING-10500 - SARFAESI Act - 10508 - SARFAESI Act - 10508 Relief - TO SET ASIDE THE ORDER DATED 05-07-2019. {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDERS ON FOLLOWING QUESTIONS OF LAW:1. WHETHER REMEDY OF APPEAL UNDER SECTION 17(1) OF THE SECUAIZATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002 IS AVAILABLE TO THE SECURED CREDITOR AGAINST AN ORDER PASSED BY THE DISTRICT MAGISTRATE UNDER SECTION 14 OF THE SAID ACT?(2) WHETHER IN JUDGMENT ORDER PASSED IN WA NO. 489/2016 AND WP NO. 15608/2020, THE DEVISION BENCHES HAVE CORRECTLY INTERPRETED SEC. 17(1) OF THE SAID ACT AND WHETHER THE SAID JUDGMENTS CAN BE SAID TO BE GOOD LAW? 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	
3	WA 00990/2021 (439)	THE STATE OF MADHYA PRADESH Versus JAIPAL SINGH	ADVOCATE GENERAL[P-1] RAJENDRA SINGH YADAV
	Transfer From Gwalior Bench	CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - SECTION 439 CIVIL PROCEDURE & LIMITATION-11300 - Code of Civil Procedure, 1908-11301 - Code of Civil Procedure, 1908-11301 Relief - TO SET ASIDE THE ORDER DATED 14-09-2021 PASSED IN MCRC NO. 42352/2021. {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDERS ON FOLLOWING QUESTION OF LAW: "WHETHER, THE DIVISION BENCH IN EXERCISE OF POWERS UNDER SECTION 2 OF THE ACT OF 2005 MAY ENTERTAIN THE APPEAL ARISING FROM AN ORDER OTHER THAN THE ORDER PASSED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA?" WRIT APPEAL U/S 2(1) OF M.P. UCHHA NYAYALAYA(KHAND NYAYAPITH KO APPEAL ADHINIYAM, 2005	
4	WP 09623/2021	NITIN ENTERPRISES Versus	AMIT MISHRA

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BEFORE: HON'BLE THE ACTING CHIEF JUSTICE & HON'BLE SHRI JUSTICE VIVEK AGARWAL & HON'BLE SHRI JUSTICE VINAY SARAF

THE STATE OF MADHYA PRADESH & *Ors.* MANOJ MUNSHI[R-3], LUCKY JAIN[R-3], ANKIT MORE[R-3], PRACHI JAIN[R-3], VIKRAM MALVIYA[R-3], SHANTANU SHARMA[R-4], KARN SINGH PARIHAR[R-4], SIDDHARTH SHARMA[R-4], PRANAY SHUKLA[R-4][R-5][R-5][R-5][R-6][R-6][R-6], ADVOCATE GENERAL[R-1][R-2]

MERCHANTILE LAW-15000 - Contract Act, 1872-15002 - Contract Act, 1872-15002
Relief - TO SET ASIDE THE IMPUGNED ORDER

**Transfer From
Indore Bench**

{FIXED DATE (ADMINISTRATIVE 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 ? FOR [APPL. FOR RECALLING OF PROCEEDING DATED 14.09.21] ON IA 10161/2021**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

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TOTAL CASES : 4 (with connected matters)

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