

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

Daily Cause List dated : 28-01-2021

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

Hearing through Video Conferencing

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	IA No. 3390/2020 - APPL. FOR ALTERATION OF DATE OF HEARING in WP 04021/2019	BHOPAL COOPERATIVE CENTRAL BANK MARYADIT BHOPAL	RAHUL CHOUBEY
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, AJAY GUPTA[CAVEAT], RAJEEV MISHRA[CAVEAT][R-1][AG][R-2][AG] [R-3][AG][R-4][AG][R-5][AG], RAVI KANT PATIDAR[R-1][AG][R-2][AG][R-3][AG][R-4][AG] [R-5][AG], ANKIT SAXENA[R-6], ARPIT SAXENA[R-6], ATIN VISHWAKARMA[R-6], DEEPESH MAHAWAR[R-6], NEELAM KUMAR SHAH[R-6]
			ELECTION-12800 - Co-oprative Societies-12822 - Co-oprative Societies-12822 Relief - FOR QUASHING THE ORDER DT. 15-02-2019 P-12,26-07-2018 P-7 and 10-08-2018 P-8 {FIXED DATE (COURT ORDER) COVID-19} AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ?2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION O HE DIRECTOR? 3.WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?"(AS PER HON'BLE THE ACTING CHIEF JUSTICE ADMINISTRATIVE ORDER DATED 07/12/2020, LAY W.P.NO.4021/2019 AND OTHER CONNECTED WRIT PETITIONS BEFORE A LARGER BENCH ON 21/12/2020). 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION
1.1	Connected (12) IA No. 2402/2019 - DOCUMENT TAKEN ON RECORD,3589/2019 - EXTENSION OF TIME,3684/2019 - AD- INTERIM WRIT in WP 04057/2019	BOARD OF DIRECTOR (SUPERSEDED) BHOPAL CO OPERATIVE CENTRAL BANK BHOPAL	PUSHPENDRA YADAV, SURBHI AGRAWAL, DHARMENDRA KUMAR KAURAB, RAHUL DESHMUKH
		Versus	
		THE STATE OF MADHYA PRADESH	ADVOCATE GENERAL, AJAY GUPTA[R-1][AG] [R-2][AG][R-3][AG]
			ELECTION-12800 - Co-oprative Societies-12822 - Co-oprative Societies-12822 Relief - TO SET ASIDE THE IMPUGNED ORDER DT. 14/02/2019 ANN P/1 {FIXED DATE (COURT ORDER) COVID-19} AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP

Daily Cause List dated : 28-01-2021

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

**NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND IA NO.2402/2019-DOCUMENT TAKEN ON RECORD AND IA NO.3589/2019-EXTENSION OF TIME AND IA NO.3684/2019-AD-INTERIM WRIT.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION**

Connected (12)
1.2 IA No. 2885/2019 - INTERVENTION APPLN.,3683/2019 - AD-INTERIM WRIT in WP 04339/2019

BOARD OF DIRECTOR
DISTT. CO OPERATIVE
CENTRAL BANK RAISEN

PUSHPENDRA YADAV, DHARMENDRA KUMAR
KAURAB, RAHUL DESHMUKH, ADITYA SINGH
YADAV

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA
PRADESH

ADVOCATE GENERAL, AJAY GUPTA[CAVEAT],
RAJEEV MISHRA[CAVEAT], AJAY KUMAR
MISHRA[R-1][AG]

SOCIETIES-18300 - Co-operative Societies Act, 1912-18301 - Co-operative Societies Act, 1912-18301

Relief - QUASH AND SET ASIDE THE ORDER DT.13/02/2019 (ANN.P-1)

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. AND IA NO.2885/2019-INTERVENTION APPLN. AND IA NO.3683/2019-AD-INTERIM WRIT**

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

Connected (12)
1.3 IA No. 3370/2019 - STAY APPLICATION,3570/2019 - EXTENSION OF TIME,3773/2019 - INTERIM RELIEF,4228/2019 - INTERVENTION APPLN. in WP 04915/2019

RAMCHANDRA LOWANSHI

SANJAY RAM TAMRAKAR, VINOD MISHRA,
GHANSHYAM BARMAN, DEEPAK SAHU

WP/04021/2019 (M)

Versus

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR
DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL, AJAY GUPTA[CAVEAT],
RAJEEV MISHRA[CAVEAT], RAVI KANT
PATIDAR[INT][R-1]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320
Relief - TO QUASH THE IMPUGNED ORDERS DTD. 28/02/19, ANNEX. P/6 and DTD. 01/03/19, ANNEX. P/7.

{FIXED DATE (COURT ORDER) COVID-19} AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) IA NO.3370/2019-STAY APPLICATION AND FOR RE HEARING AND IA NO.3570/2019-EXTENSION OF TIME AND IA NO.3773/2019-INTERIM RELIEF AND IA NO.4228/2019-INTERVENTION APPLN.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

Connected (12)
1.4 IA No. 3371/2019 - STAY APPLICATION,4222/2019 - INTERVENTION APPLN. in WP 04919/2019

MALAK SINGH PATEL SANJAY RAM TAMRAKAR, VINOD MISHRA,
GHANSHYAM BARMAN, DILEEP KUMAR
HARIJAN

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL, AJAY GUPTA[INT],
RAJEEV MISHRA[INT], RAVI KANT
PATIDAR[INT][R-1]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320
Relief - TO QUASH THE IMPUGNED ORDERS DTD. 28/02/19, ANNEX. P/6 and DTD. 01/03/19, ANNEX. P/7.

{FIXED DATE (COURT ORDER) COVID-19} AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. AND IA NO.3371/2019-STAY APPLICATION AND IA NO.4222/2019-INTERVENTION APPLN.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

Daily Cause List dated : 28-01-2021

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

Connected (12)
1.5 IA No. 3686/2019 - AD-INTERIM WRIT,4231/2019 - INTERVENTION APPLN. in WP 05124/2019

KUNWAR SINGH

PUSHPENDRA YADAV, DHARMENDRA KUMAR KAURAB, ADITYA SINGH YADAV, RAHUL DESHMUKH

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, AJAY GUPTA[R-1], RAJEEV MISHRA[R-1], RAVI KANT PATIDAR[R-1]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - to quash and set aside the impugned order dt. 28-02-2019 (p-1)

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. AND IA NO.3686/2019-AD-INTERIM WRIT AND IA NO.4231/2019-INTERVENTION APPLN.**

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

Connected (12)
1.6 IA No. 3610/2019 - INTERVENTION APPLN. in WP 05535/2019

VIRENDRA FOUZDAR

RAJENDRA KUMAR SHRIVASTAV, HEMANT KUMAR BHANNARWAR

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, AJAY GUPTA[INT], RAJEEV MISHRA[INT], RAVI KANT PATIDAR[INT][R-1][AG][R-2][AG][R-3][AG]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - QUASH THE ORDER DT.02/03/2019 (ANN.P-2)

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913**

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR
DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. AND
IA NO.3610/2019-INTERVENTION APPLN.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF
CONSTITUTION

Connected (12)
1.7 IA No. 4558/2019 -
VACATING STAY in
WP 06038/2019

HARIRAM YADAV

ANIL LALA, VISHNU CHANDRA DWIVEDI

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA
PRADESH

ADVOCATE GENERAL, DEEPAK
AWASTHI[CAVEAT](Caveat)(Caveat)(Caveat),
RAJENDRA KUMAR SEN[CAVEAT](Caveat)
(Caveat)(Caveat), RAKESH KUMAR
MISHRA[CAVEAT](Caveat)(Caveat)(Caveat),
RAVI KANT PATIDAR[R-5], RAJEEV
MISHRA[R-5], AJAY GUPTA[R-5][R-1][AG][R-
2][AG][R-3][AG][R-4][AG]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - TO QUASH THE ORDER DTD 06-03-2019 (ANNX P/5,6).

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) (FOR ADMISSION AND I.R.) (THIS PETITION IS LINK WITH WP 4915/2019 VIDE HON.C.O.DTD.25-3-2019) AND IA NO.4558/2019-VACATING STAY 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION**

Connected (12)
1.8 WP 06607/2019 (S)

SHIVAJI PATEL

PUSHPENDRA YADAV, DHARMENDRA KUMAR
KAURAB, RAHUL DESHMUKH, ADITYA SINGH
YADAV

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA
PRADESH

ADVOCATE GENERAL, AJAY GUPTA[R-1]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - TO QUASH THE ORDER DTD 07-02-2019 (NOT SERVED) (ANNX P/2).

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING**

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

Connected (12)
1.9 WP 07065/2019

BHARAT SINGH

NAVIN DUBEY, SEEPJA DUBEY, ANKITA SHARMA

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, AJAY GUPTA[R-5], RAVI KANT PATIDAR[R-5], RAJEEV MISHRA[R-5]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - FOR QUASHING THE ORDER DT 01-03-2019 P-1

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913 OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R. 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION**

Connected (12)
1.10 WP 07518/2019

RAJENDRA KUMAR JAROLIYA

ANIL LALA, VISHNU CHANDRA DWIVEDI

WP/04021/2019 (M)

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, RAVI KANT PATIDAR[R-1], MAHENDRA PATERIYA[R-5], BRIJESH CHANDRA CHOUBEY[R-5], SUBHASH KUMAR CHATURVEDI[R-5], TEEKA RAM KURMI[R-5], AJAY GUPTA[R-5], RAJEEV MISHRA[R-5][R-5]

SOCIETIES-18300 - M.P. Co-operative Societies Act, 1960-18320 - M.P. Co-operative Societies Act, 1960-18320

Relief - TO QUASH THE IMPUGNED ORDER DT. 27/02/2019 AN P/2 AND 26/02/2019 ANN P/1

{FIXED DATE (COURT ORDER) COVID-19} **AS PER HON'BLE COURT ORDER DATED 25/04/2019 FOR ORDERS ON THE CONSIDERATION OF THE FOLLOWING QUESTIONS OF LAW:- "1.WHETHER THE ORDER PASSED BY THE DIVISION BENCH OF THIS COURT IN WP NO.6913/2017 ON 15.05.2017 LAYS DOWN THE CORRECT LAW IN REGARD TO SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OR THE ORDER PASSED IN WRIT APPEAL NO.551/2019 AFFIRMING THE ORDER PASSED BY THE SINGLE BENCH OF THIS COURT IN WP NO.551/2019 ? 2.WHETHER THE PROVISIONS OF SECTION 48-AA AND SECTION 50-A OF THE ACT OF 1960 OPERATES IN A DIFFERENT SPHERE I.E. PRE AND POST ELECTION OF THE DIRECTOR ? 3. WHETHER SECTION 50-A OF THE ACT OF 1960 IS A DEEMING PROVISION FOR HOLDING A DIRECTOR OF A SOCIETY AS DISQUALIFIED OR AN OPPORTUNITY OF HEARING IS STILL REQUIRED TO BE GIVEN AS HELD BY THIS COURT IN WP NO.6913**

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR
DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

OF 2017?" (FOR ADMISSION AND I.R.) FOR ADMISSION AND I.R.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF
CONSTITUTION

2	WP 04118/2020 (S)	RATANLAL RATHORE Versus THE STATE OF MADHYA PRADESH	SAARANSH JAIN, LAVEESH SETHIA ADVOCATE GENERAL
<p style="text-align: center; color: red; font-size: small;">SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130 Relief - TO SET ASIDE THE IMPUGNED ORDER {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDERS ON FOLLOWING QUESTION OF LAWS: A) WHETHER, THE PRONOUNCEMENT OF LAW BY THE DIVISION BENCH OF THIS COURT I.E. THE JUDGMENT DELIVERED IN WRIT APPEAL NO.717/2016 ON 10/07/2017 IS BINDING UPON ANOTHER DIVISION BENCH OF THE SAME NUMBER OF JUDGES KEEPING IN VIEW THE PRINCIPLES OF THE DOCTRINE OF BINDING PRECEDENT , ESPECIALLY WHEN IN THE SUBSEQUENT JUDGMENT DELIVERED IN WRIT APPEAL NO.363/2020 THE DIVISION BENCH HAS NOT TAKEN INTO ACCOUNT THE EARLIER JUDGMENT DELIVERED IN WRIT APPEAL NO.717/2016, MEANING THEREBY, WHETHER THE JUDGMENT DELIVERED PRIOR IN TIME BY BENCH OF SAME STRENGTH HOLDS THE FIELD AND THE SUBSEQUENT JUDGMENT DELIVERED ON THE SAME SUBJECT BY THE SAME STRENGTH OF BENCH IS NOT A BINDING PRECEDENT? B) WHETHER, THE GOVERNMENT SERVANT, WHO IS NO LONGER IN SERVICE, IS ENTITLED FOR INCREMENT AFTER HIS RETIREMENT KEEPING IN VIEW THE JUDGMENT DELIVERED IN WRIT APPEAL NO.363/2020, DECIDED ON 06/03/2020? C) WHETHER, THE GOVERNMENT SERVANT IS ENTITLED FOR INCREMENT AFTER HIS RETIREMENT AND ENHANCED PENSION, ESPECIALLY WHEN THE PENSION HAS TO BE GRANTED BY TAKING INTO ACCOUNT THE EMOLUMENTS PAID TO THE GOVERNMENT SERVANT IN THE LAST YEAR OR PART OF LAST YEAR OF HIS SERVICE AS SUCH GOVERNMENT SERVANT IN LIGHT OF MADHYA PRADESH CIVIL SERVICES (PENSION) RULES, 1976? D) WHETHER, THE DECISION IN THE CASE OF STATE OF M. P. AND OTHERS VS. RAJENDRA PRASAD TIWARI (WRIT APPEAL NO.363/2020,DECIDED ON 06/03/2020) LAYS DOWN THE CORRECT LAW? 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION</p>			
2.1	Linked (9) IA No. 1754/2020 - DOCUMENT TAKEN ON RECORD in WP 17065/2019 (S) WP/04118/2020 (M)	SHRI RAJENDRA SINGH BAGHEL Versus THE STATE OF MADHYA PRADESH	RAHUL TRIPATHI, SHANKAR DAYAL SHUKLA, AMIT KUMAR PANDEY ADVOCATE GENERAL, ADVOCATE GENERAL
<p style="text-align: center; color: red; font-size: small;">SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130 Relief - DIR. THE RESP. FOR GRANTING NATIONAL INCREMENT DUE ON 01/07/2014 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R. AND IA NO.1754/2020-DOCUMENT TAKEN ON RECORD 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION</p>			
2.2	Linked (9) WP 11715/2020 (S) WP/04118/2020 (M)	YOGENDRA KUMAR PANDEY Versus THE STATE OF MADHYA PRADESH	SUDHA GOUTAM, RAJNEESH KUMAR VERMA ADVOCATE GENERAL

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Retirement Benefit Cum Pension-17139
SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
Relief - direction the respondents to pay the annual increment fell due on 01/07/2011 to the petitioner with 6% interest from 01/07/2011
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

2.3 **Linked (9)**
IA No. 7349/2020 - APPLICATION FOR REMOVING THE DEFAULT POINTED OUT in WP 13703/2020 (S)
WP/04118/2020 (M)

S.K. NIGAM

RAM BABU DUBEY, SUSHIL KUMAR SHUKLA, PRAGYA DIXIT

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
Relief - TO DIRECT THE RES. TO PAY THE ANNUAL INCREMENT WAS DUE ON 01.07.2011 TO THE PETITIONER
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **IA NO.7349/2020- APPLICATION FOR REMOVING THE DEFAULT POINTED OUT FOR DEFAULT(S) (1)FORMAT OF MEMO PETITION / APPEAL PETITION IS NOT IN PROPER FORMAT**
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

2.4 **Linked (9)**
WP 13793/2020 (S)
WP/04118/2020 (M)

GIRRAJ PRASAD AGARWAL

VIBHOR KUMAR SAHU, ASHOK KUMAR DOHRE

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL

When one party is court or Judicial Officer - HIGH COURT - HIGH COURT
SERVICE RELATING TO HIGH COURT EMPLOYEES-17600 - Retirement Benefit Cum Pension-17639 - Retirement Benefit Cum Pension-17639
SERVICE RELATING TO HIGH COURT EMPLOYEES-17600 - Increment-17630 - Increment-17630
Relief - DIRECTED TO EXTEND THE BENEFIT OF REGULAR ANNUAL INCREMENT
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

2.5 **Linked (9)**
WP 16246/2020 (S)
WP/04118/2020 (M)

SHUBASH PATEL

SANJAY KUMAR BAKSHI

Versus

STATE OF M.P.

SERVICE RELATING TO STATE GOVT.-17100 - Salary Matter-17140 - Salary Matter-17140
Relief - KINDLY BE DIRECTIONED TO RESPONDENT TO GIVE THE ANNUAL INCREMENT TO THE PETITIONERS
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION AND I.R.**
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

2.6 **Linked (9)**
WP 19937/2020 (S)
WP/04118/2020 (M)

A.K. VERMA

SATYA PRAKASH MISHRA, VIKAS KUMAR SHARMA, GIRISH TIWARI

Versus

Daily Cause List dated : 28-01-2021
BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR
DUBEY & HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

THE STATE OF M.P. ADVOCATE GENERAL

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 -
Retirement Benefit Cum Pension-17139

Relief - direction the respondents to release the petitioner annual increment of the year of
2020 wichi is due since july 2020 and fixed the revision of payscale.

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ORDERS ON**
THE QUESTION OF TERRITORIAL JURISDICTION OF PETITION
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF
CONSTITUTION

2.7 **Linked (9)**
WP 18218/2020 (S)

RAIS

YASH PAL RATHORE, ARCHANA
MAHESHWARI, MAHAVEER JAIN

WP/04118/2020 (M)

Versus

THE STATE OF MADHYA ADVOCATE GENERAL
PRADESH

SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 -
Retirement Benefit Cum Pension-17139

Relief - PETITION MAY KINLDY BE ALLOWED AND APPROPRIATE DIRECTION MAY
KINLDY BE ISSUED TO RESPONDENTS

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
AND I.R.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF
CONSTITUTION

2.8 **Linked (9)**
WP 18207/2020 (S)

SMT. SHEELA

YASH PAL RATHORE, ARCHANA
MAHESHWARI, MAHAVEER JAIN

WP/04118/2020 (M)

Versus

THE STATE OF MADHYA ADVOCATE GENERAL
PRADESH

SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 -
Others

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
Relief - PETITIONER MAY KINDLY BE ALLOWED AND APPROPRIATE DIRECTION MAY
KINDLY BE ISSUED TO RESPONDENTS

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
AND I.R.
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF
CONSTITUTION

TOTAL CASES : 20 (with connected matters)

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