

HIGH COURT OF MADHYA PRADESH : JABALPUR

FULL BENCH - I (Time 10:30 AM)

Daily Cause List dated : 18-02-2020

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

Court Room No.: 1

NOTE:-1. CASES FOR FINAL HEARING SHALL BE TAKEN UP BY ALL THE BENCHES IMMEDIATELY AFTER COMPLETION OF MOTION HEARING EVERYDAY.LAWYERS ARE REQUESTED TO GIVE LIST OF BOOKS TO READER IN ADVANCE.

2. THE FACILITY OF POS(POINT OF SALE) MACHINE FOR MAKING ONLINE COURT FEE IS AVAILABLE AT PRESENTATION CENTRE OF HIGH COURT OF M.P.

MOTION HEARING

[TOP OF THE LIST (FOR MOTION HEARING)]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	WP 22290/2019	KAMAL KHARE Versus THE STATE OF MADHYA PRADESH	JUBIN PRASAD, RAGHUVIR PRASAD PRAJAPATI ADVOCATE GENERAL, SAURABH SUNDER[R-1][AG][R-2][AG] HABEAS CORPUS-13900 - HABEAS CORPUS-13900 - HABEAS CORPUS-13900 PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304 Relief - QUASH THE IMPUGNED ORDER OF DETENTION PASSED AGAINST THE PETITIONER UNDER SECTION 3 OF THE NATIONAL SECURITY ACT 1980 DT.13/08/2019 {Supreme Court Order/Habeas Corpus} <b>TO DECIDE THE ISSUE AS TO : "WHERE THE OFFENCE IS COMMITTED UNDER REGULATORY ACT SUCH AS FOOD SAFETY AND STANDARDS ACT, 2006 WHICH CONTAINS PENALTY CLAUSE, UNDER NO CIRCUMSTANCES, AN ACTION CAN BE TAKEN AGAINST A PERSON WHOSE ACTIVITIES ARE PREJUDICIAL TO MAINTENANCE OF PUBLIC ORDER UNDER THE NATIONAL SECURITY ACT, 1980" FOR DOCUMENT TAKEN ON RECORD ON IA 13100/2019 FOR [AN APPL. SEEKING INTERIM RELEASE OF THE PETITIONER] ON IA 1529/2020</b> 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION
1.1	<b>Connected</b> WP 00717/2020	LADURAM Versus THE STATE OF MADHYA PRADESH	JAGDISH BAHETI, SOUMYA MARU, PUSHYAMITRA BHARGAV, MUKESH SHARMA, HARSHWARDHAN SHARMA, DEVDEEP SINGH ADVOCATE GENERAL, SAURABH SHRIVASTAVA[R-3] PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304 {Supreme Court Order/Habeas Corpus} <b>1. ADM.AND I.R. 2. (TO DECIDE THE ISSUE AS TO :- "A). WHETHER A DETAINEE, WHO IS DETAINED UNDER THE NATIONAL SECURITY ACT, 1980 HAS GOT A RIGHT TO MAKE A REPRESENTATION TO THE DISTRICT MAGISTRATE WHO ACTS ON BEHALF OF THE STATE GOVERNMENT AS THE STATE GOVERNMENT IS THE APPROPRIATE GOVERNMENT WITHIN THE MEANING OF SECTION 2 (A) OF NATIONAL SECURITY ACT, 1980. B). WHETHER THE ORDER OF DETENTION IS A NULLITY IN ABSENCE OF SUCH A COMMUNICATION INFORMING THE DETAINEE ABOUT HIS RIGHT OF MAKING REPRESENTATION TO THE DISTRICT MAGISTRATE, EVEN THOUGH THE DETAINEE HAS BEEN INFORMED BY THE DISTRICT MAGISTRATE TO MAKE A REPRESENTATION TO THE SATE GOVERNMENT/TO THE UNION OF INDIA/ADVISORY BOARD. C). WHETHER THE DISTRICT MAGISTRATE KEEPING IN VIEW THE SCHEME OF THE ACT I.E. THE NATIONAL SECURITY ACT, 1980 HAS THE POWER TO REVOKE THE ORDER OF DETENTION ONCE PASSED BY HIM IN VIEW OF SECTION 10 AND SECTION 14 OF THE NATIONAL SECURITY ACT, 1980."</b> 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION
1.2	<b>Linked</b> WP 28804/2019	MANISH Versus THE STATE OF MADHYA PRADESH	PUSHYAMITRA BHARGAV, JUHI BHARGAV, MUKESH SHARMA, RISHI PANDIT, DEVDEEP SINGH, HARSHWARDHAN SHARMA ADVOCATE GENERAL, SAURABH SHRIVASTAVA[R-1][R-2][R-3][R-4][R-5] PUBLIC SAFETY & ORDER-16300 - National Security Act 1980-16304 - National Security Act 1980-16304 {Supreme Court Order/Habeas Corpus} <b>1.ADM.AND I.R. 2.TO DECIDE THE ISSUE AS TO :- "A). WHETHER A DETAINEE, WHO IS DETAINED UNDER THE NATIONAL SECURITY ACT, 1980 HAS GOT A RIGHT TO MAKE A REPRESENTATION TO THE DISTRICT MAGISTRATE WHO ACTS ON BEHALF OF THE STATE GOVERNMENT AS THE STATE GOVERNMENT IS THE APPROPRIATE GOVERNMENT WITHIN THE MEANING OF SECTION 2 (A) OF NATIONAL SECURITY ACT, 1980. B). WHETHER THE ORDER OF DETENTION IS A NULLITY IN ABSENCE OF SUCH A COMMUNICATION INFORMING THE DETAINEE ABOUT HIS RIGHT OF MAKING REPRESENTATION TO THE DISTRICT MAGISTRATE, EVEN THOUGH THE DETAINEE HAS BEEN INFORMED BY THE DISTRICT MAGISTRATE TO MAKE A REPRESENTATION TO THE SATE GOVERNMENT/TO THE UNION OF INDIA/ADVISORY BOARD. C). WHETHER THE DISTRICT MAGISTRATE KEEPING IN VIEW THE SCHEME OF THE ACT I.E. THE NATIONAL SECURITY ACT, 1980 HAS THE POWER TO REVOKE THE ORDER OF DETENTION ONCE PASSED BY HIM IN VIEW OF SECTION 10 AND SECTION 14 OF THE NATIONAL SECURITY ACT, 1980."</b> 01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

TOTAL CASES : 3 (with connected matters)

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