

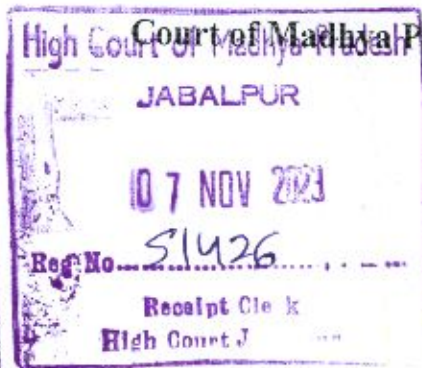
**HIGH COURT OF MADHYA PRADESH (DESIGNATION OF SENIOR  
ADVOCATES) RULES, 2018**

**PROFORMA OF PARTICULARS**

**(UNDER RULE 13)**



- (1) Name: **Awadhesh Kumar Singh**
- (2) Qualification: **B.Sc., LL.B.**
- (3) Date of Birth: **31<sup>st</sup> January, 1965**
- (4) Permanent Address: **H.No. G-2, Panchsheel Nagar, Gwarighat Road  
Jabalpur M.P.-482008**
- (5) Address to which communications are to be sent: **H.No. G-2,  
Panchsheel Nagar, Gwarighat Road Jabalpur M.P.-482008**
- (6) Name of Bar Council and Date of enrollment as an advocate: **State Bar  
Council of Madhya Pradesh, dated 16<sup>th</sup> July, 1995**
- (7) Number in the roll of advocates maintained by the State Bar Council:  
**M.P.-966/1994**
- (8) Whether he is/was a member of any association of lawyers ? If so the  
details:- **Life Member of District Advocates Bar Association,  
Bhopal, Enrolment No.-1337/December, 1994**
- (9) Number of years, name of place and Court (s) where practiced: (i)  
**Bhopal State Administrative Tribunal Bench at Bhopal and  
Arbitration Tribunal until dissolved 8 years, (ii) The Hon'ble High  
Court of Madhya Pradesh. Principal Seat at Jabalpur 21 years.**



- (10) Specialization in any field of law. If so, details: **Administrative Law (service matters), SARFAESI Act, 2002 (Debts recovery matters)**
- (11) Whether a junior to any lawyer (s) at present ? If so, the details: **No.**
- (12) Whether any junior lawyer is practicing with him ? If so, names of such lawyers and the period: **(1) Shri Ajay Dwivedi, 17 years, (2) Smt. Anubha Singh, 17 years (3) Akhilesh Kumar Singh, 6 years (4) Ms. Akanksha Soni, 06 years.(5) Aryaditya Singh, 03 years.**
- (13) Whether he is an assessee under the Income Tax Act in respect of professional income ? If so, details of income assessed for the last three years accompanied by a copy of the Permanent Account Number Card:-

**Yes, PAN NO.-AELPS9809Q**

**Year 2020-21: Rs. 4,60,120/-**

**Year 2022-23: Rs. 4,88,920/-**

**Year 2023-24: Rs. 4,94,560/-**

**The copies are enclosed and marked as Annexure A-1 (Clubbed).**

- (14) Whether he is/was in the panel of the State or Central Government or whether holds any office under the State or Central Government ?

**1) South Eastern Coalfields Ltd., Bilaspur (C.G.)**

**2) Canara Bank, Circle Office Bhopal (M.P.)**

**3) Bank of Baroda, Chief Manager Coordination, M.P. and C.G. Zone, Bhopal**

**4) Central Bank of India, Regional Office- Jabalpur**

5) **M.P. Board of Secondary Education, Bhopal**

6) **State Bank of India, DRT Cell, Administrative Office, Vijay Nagar, Jabalpur**

**The copies are enclosed and marked as Annexure A-2 (Clubbed).**

(15) (a) Reference to any important matter in which appeared [and rendered assistance]

1) **Dharamdas Patel Vs. State of M.P. and others, W.P. No.1564/2002, order dated 06-09-2002 passed by Hon'ble Shri Justice Dipak Misra & Hon'ble Shri Justice A.K. Srivastava**

2) **Alok Pratap Singh Vs. Union of India and others, W.P. No. 2802/2004, order dated 21-06-2007 passed by Hon'ble Chief Justice Shri A.K. Patnaik and Hon'ble Shri Justice Ajit Singh**

3) **M/s Bhagwati Industries Vs. State Bank of India and others, W.P. No.2358/2004, order passed on 05-07-2004 by Hon'ble Shri Justice K.K. Lahoti.**

4) **Manohar Lal Carpenter Vs. Union of India, O.A. No.59/2007, order dated 09-09-2008 passed by Hon'ble Shri Justice Mukesh Kumar Gupta and Hon'ble the Administrative Member Shri Ranbir Singh and Mukesh Kumar Gupta Judicial Member.**

5) **Mathura Prasad Vs. State of M.P., M.Cr.C. No. 1953/2008, order dated 13-03-2008 passed by Hon'ble Shri Justice A.K. Saxena**

6) **Smt. Radha Chourey Vs Board of Secondary Education Bhopal W.A. 383/2008 on 11.04.2008 passed by A.K.Patnaik Chief Justice and Ajit Singh Justice.**

- 7) **M/s Soleman Computer Vs. The State of Bank of India W.P. 9841/2009 order dated 24.09.2009 by Justice R.S. Jha.**
- 8) **Suresh Chandra Upadhyaya Vs. State of M.P W.P. 8308/2007 order dated 27.08.2009 by Justice Sanjay Yadav**
- 9) **Anish Saxena Vs State of M.P. Cr.A 6815/2018 order dated 22.11.2018 by Justice J.P. Gupta.**
- 10) **Ashok Singh Kirar Vs. The Life Insurance Corporation of India and others W.P. 24569/2022 order dated 26.04.2023 by Justice Vivek Agarwal.**

**The copies are enclosed and marked as Annexure A-3 (Clubbed).**

(b) Reported judgments in which the concerned Advocate (s) had appeared in last five years [and rendered assistance]:-

**2001, ARB, WLJ, Rajendra Kumar Bhalla Vs. Secretary, Narmada Valley Development Department.**

**The copy enclosed and marked as Annexure A-4.**

(16) Whether he has written any book on law or made any contribution to a law publication or journal ? If so, the details

**No.**

[16a] Whether he has/had teaching assignments or delivers/delivered guest courses delivered at Law schools ? If yes, details]

**No.**

(17) Whether he attended or participated in any seminar/conference relating to law ?

**No.**

- (18) Whether he is/was connected with any faculty of law ?

**No.**

- (19) Whether any application for designation as senior advocate had been made in the past to the High Court of Madhya Pradesh or any other Court ? If so, when and with what result ?

**No.**

- (20) Whether ordinarily practicing within the jurisdiction of the High Court of Madhya Pradesh

**Yes Hon'ble High Court Principal Bench at Jabalpur M.P.**

- (21) Whether he has ever been personally involved in any civil or criminal litigation or contempt proceedings or any disciplinary proceedings against him by the Bar Council. If so the details thereof

**No.**

- (22) Details of participation in pro-bono work

[22a) Details of five best synopses filed by the advocate concerned:

- (i) W.P. 11732/2007 J.K.Mishra Vs. The State of M.P. and others.
- (ii) Civil Revision No.104/2017 Babulal Contractors and Engineers Vs. The State of C.G.
- (iii) Referance Case No.75/2019 Rajedra Kumar Bhalla Vs. State of M.P.

(iv) W.P (S) 6297/2019 Sheetal Kumar Patel and others Vs. The State of C.G.

(v) Cri.Ref Contempt Petition No.02/2022 Tarana Shriman Shrikrishna Daglia Vs. Nilesh Kumar Surana.

The copies are enclosed and marked as Annexure A-5 (Clubbed)

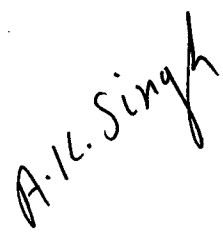
(23) Other information/particulars, if any, including legal services and as Legal aid counsel:

No.

(24) Details of services rendered by way of legal services, mediation work, other para-legal activities, assistance rendered to various administrative Committees of the High Court, etc.

No.

Date: 07/11/2023

  
Signature of the Advocate

Mobile No.-9827042887

E-mail ID-kumarsinghawadhesh9@gmail.com

\*\*\*\*\*

A/1

Name of Assessee Awadhesh Kumar Singh  
Father's Name Shri Krishna Kumar Singh  
Address A 262 Shahpura, Bhopal, Bhopal, Bhopal, Bhopal, MADHYA PRADESH, 462001  
Status Individual Assessment Year 2020-2021  
Ward Year Ended 31.3.2020  
PAN AELPS9809Q Date of Birth 31/01/1965  
Residential Status Resident Sex Male  
Nature of Business OTHER SERVICES-Other services n.e.c.(21008)  
Filing Status Original  
Return Filed On 04/01/2021 Acknowledgement No.: 100810620040121  
Aadhaar No: 336387608850 Passport No.:  
Bank Name Bank of India, JABALPUR, MICR:482013007, A/C NO:940610310000036  
, Type: Saving, IFSC: BKID0009406  
Tele: Mob:9827042887

**Computation of Total Income**

**Income from Business or Profession (Chapter IV D) 460120**

Awadhesh Kumar Singh

Profit as per Profit and Loss a/c

460120

Total

460120

**Gross Total Income**

**460120**

**Total Income**

**460120**

Round off u/s 288 A

**460120**

Adjusted total income (ATI) is not more than Rs. 20 lakh hence AMT not applicable.

Tax Due

10506

Rebate u/s 87A

10506

0

Tax Payable

0

**Tax calculation on Normal income of Rs 460120/-**

Exemption Limit :250000

Tax on (460120-250000) =210120 @5% = 10506

**Total Tax = 10506**

Due Date for filing of Return July 31, 2020

Due date extended to 10/01/2021

Signature  
(Awadhesh Kumar Singh)

CompuTax : 1164 [Awadhesh Kumar Singh]

**INDIAN INCOME TAX RETURN ACKNOWLEDGEMENT**

[Where the data of the Return of Income in Form ITR-1 (SAHAJ), ITR-2, ITR-3,  
ITR-4(SUGAM), ITR-5, ITR-6, ITR-7 filed and verified]  
(Please see Rule 12 of the Income-tax Rules, 1962)

**Assessment Year  
2020-21**

PAN	AELPS9809Q		
Name	Awadhesh Kumar Singh		
Address	A 262 Shahpura, , Bhopal,Bhopal, Bhopal,Bhopal, MADHYA PRADESH, 462001		
Status	Individual	Form Number	ITR-3
Filed u/s	139(1)-On or before due date	e-Filing Acknowledgement Number	100810620040121
Taxable Income and Tax details	Current Year business loss, if any	1	0
	Total Income		460120
	Book Profit under MAT, where applicable	2	0
	Adjusted Total Income under AMT, where applicable	3	460120
	Net tax payable	4	0
	Interest and Fee Payable	5	0
	Total tax, interest and Fee payable	6	0
	Taxes Paid	7	0
	(+)Tax Payable /(-)Refundable (6-7)	8	0
Dividend Distribution Tax details	Dividend Tax Payable	9	0
	Interest Payable	10	0
	Total Dividend tax and interest payable	11	0
	Taxes Paid	12	0
	(+)Tax Payable /(-)Refundable (11-12)	13	0
Accreted Income & Tax Detail	Accreted Income as per section 115TD	14	0
	Additional Tax payable u/s 115TD	15	0
	Interest payable u/s 115TE	16	0
	Additional Tax and interest payable	17	0
	Tax and interest paid	18	0
	(+)Tax Payable /(-)Refundable (17-18)	19	0

Income Tax Return submitted electronically on 04-01-2021 20:36:05 from IP address 122.175.227.227 and verified by Awadhesh Kumar Singh

having PAN AELPS9809Q on 04-01-2021 20:40:21 from IP address 122.175.227.227 using Electronic Verification Code CFVE1R6UJI generated through Aadhaar OTP mode.

**DO NOT SEND THIS ACKNOWLEDGEMENT TO CPC, BENGALURU**



# AWADHESH KUMAR SINGH

Name of Assessee : **AWADHESH KUMAR SINGH**  
Father's Name : **KRISHNA KUMAR SINGH**  
Address : **A 262 Shahpura  
Bhopal, Bhopal Bhopal, Bhopal-462001**  
Date of Birth : **31-01-1965** Status : **Individual**  
Permanent Account No. : **AELPS9809Q** Previous Year ended on : **31-03-2022**  
Ward/Circle/Range : **Ward 11** Assessment Year : **2022-23**  
Return Filing Due Date : **31-07-2022** Aadhar No. : **336387608850**  
Mobile No. : **9827042887**

## COMPUTATION OF INCOME

### Profits and Gains of Business or Profession

Professional Income u/s 44ADA

AWADHESH KUMAR SINGH

Turnover/Receipt	977840.00	
Deemed Profit	488920.00	488920.00
<b>Gross Total Income</b>		<b>488920.00</b>
<b>Total Income</b>		<b>488920.00</b>
<b>Tax on Above</b>	11946.00	
<b>Rebate</b>		
Rebate u/s 87A	11946.00	11946.00
<b>Net Tax</b>		<b>NIL</b>

### Details of all banks accounts held in India at any time during the previous year (excluding dormant accounts)

S. No.	IFS CODE OF THE BANK	NAME OF THE BANK	ACCOUNT NUMBER (of 9 digits or more as per CBS system of the bank)	(tick one account for refund)
1.	BKID0009406	Bank of India	940610310000036	✓

### Tax Comparison Between New and Old Regime of Taxation

	Old Regime	New Regime
Net Income :	488920.00	
Adj. u/s 115BAC :		
Standard Deduction :		0.00
Entertainment Allowance :		0.00
Professional Tax :		0.00
Other Salary Exemption :		0.00
House Property Loss :		0.00
Family Pension Exemption :		0.00
B/f Losses Setoff ag. House Property Income :		0.00
Deduction u/c VIA :		0.00
<b>Income Tax :</b>	<b>11946.00</b>	<b>11946.00</b>

AWADHESH KUMAR SINGH

**INDIAN INCOME TAX RETURN ACKNOWLEDGEMENT**

[Where the data of the Return of Income in Form ITR-1(SAHAJ), ITR-2, ITR-3, ITR-4(SUGAM), ITR-5, ITR-6, ITR-7  
filed and verified]  
(Please see Rule 12 of the Income-tax Rules, 1962)

Assessment  
Year  
2023-24

PAN	AELPS9809Q		
Name	AWADHESH KUMAR SINGH		
Address	A 262 Shahpura , Bhopal,Bhopal , Bhopal,Bhopal , 18-Madhya Pradesh, 91- INDIA, 462001		
Status	Individual	Form Number	ITR-4
Filed u/s	139(1)-On or before due date	e-Filing Acknowledgement Number	894671210300723

Taxable Income and Tax Details			
	Current Year business loss, if any	1	0
	Total Income	2	4,94,560
	Book Profit under MAT, where applicable	3	0
	Adjusted Total Income under AMT, where applicable	4	0
	Net tax payable	5	0
	Interest and Fee Payable	6	0
	Total tax, interest and Fee payable	7	0
	Taxes Paid	8	0
	(+) Tax Payable /(-) Refundable (7-8)	9	0
Accreted Income and Tax Detail			
	Accreted Income as per section 115TD	10	0
	Additional Tax payable u/s 115TD	11	0
	Interest payable u/s 115TE	12	0
	Additional Tax and interest payable	13	0
	Tax and interest paid	14	0
	(+) Tax Payable /(-) Refundable (13-14)	15	0

Income Tax Return submitted electronically on 30-Jul-2023 18:11:45 from IP address 223.226.94.33 and  
verified by AWADHESH KUMAR SINGH having PAN AELPS9809Q on 30-Jul-2023  
using paper ITR-Verification Form /Electronic Verification Code 7G98X4P58I generated through Aadhaar  
OTP mode

System Generated

Barcode/QR Code



**AELPS9809Q04894671210300723c8b69da6c0564731d6bc1cc0ba4f5084328a8085**

**DO NOT SEND THIS ACKNOWLEDGEMENT TO CPC, BENGALURU**

\*If the return is verified after 30 days of transmission of return data electronically, then date of verification will be considered as date of filing the return (Notification No.05 of 2022 dated 29-07-2022 issued by the DGIT (Systems), CBDT)."

# AWADHESH KUMAR SINGH

Name of Assessee : AWADHESH KUMAR SINGH  
Father's Name : KRISHNA KUMAR SINGH  
Address : A 262 Shahpura  
Bhopal, Bhopal Bhopal, Bhopal-462001  
Date of Birth : 31-01-1965  
Permanent Account No. : AELPS9809Q  
Ward/Circle/Range : Ward 1 1  
Return Filing Due Date : 31-07-2023  
Status : Individual  
Previous Year ended on : 31-03-2023  
Assessment Year : 2023-24  
Aadhar No. : 336387608850  
Mobile No. : 9827042887

## COMPUTATION OF INCOME

### Profits and Gains of Business or Profession

Professional Income u/s 44ADA

AWADHESH KUMAR SINGH

Turnover/Receipt

989120.00

Deemed Profit

494560.00

494560.00

**Gross Total Income**

494560.00

**Total Income**

494560.00

**Tax on Above**

12228.00

**Rebate**

Rebate u/s 87A

12228.00

12228.00

**Net Tax**

NIL

### Details of all banks accounts held in India at any time during the previous year (excluding dormat accounts)

S. No.	IFS CODE OF THE BANK	NAME OF THE BANK	ACCOUNT NUMBER (of 9 digits or more as per CBS system of the bank)	(tick one account for refund)
1.	BKID0009406	Bank of India	940610310000036	✓

### Nature of Business Detail

**Business Details**

**Trade Name**

**Business Code**

Professional Services - Legal profession

AWADHESH KUMAR SINGH

16001

### Tax Comparison Between New and Old Regime of Taxation

	Old Regime	New Regime
Net Income :	494560.00	
Adj. u/s 115BAC :		
Standard Deduction :		0.00
Entertainment Allowance :		0.00
Professional Tax :		0.00
Other Salary Exemption :		0.00
House Property Loss :		0.00
Family Pension Exemption :		0.00
B/f Losses Setoff ag. House Property Income :		0.00
Deduction u/c VIA :		0.00
<b>Income Tax :</b>	<b>12228.00</b>	<b>12228.00</b>

AWADHESH KUMAR SINGH

A/2

(Under Jurisdiction of Bilaspur Court Only)

**South Eastern Coalfields Limited**  
(A MINI RATNA COMPANY/P.S.U.)

पंजीकृत कार्यालय, सीपत रोड, पो.बा. नं. ६०, बिलासपुर (छ.ग.) ४९५ ००६  
Regd. Office : Seepat Road, P.B.No. 60, Bilaspur (C.G.) - 495 006

Ref : SECL/BSP/LEGAL/Dy.LM/P-232/2009/ 499

Date: 24.11.2009

To,  
Shri A.K. Singh,  
Advocate,  
Golden Jubilee Hall,  
1st floor, Seat No. 368,  
High Court Campus,  
Jabalpur (MP).

Sub : Empanelment of advocate.

Dear Sir,

We are pleased to inform you that, considering your application and biodata, the Competent Authority has accorded approval to empanel you as an advocate of SECL for defending the cases of SECL before the Hon'ble High Court of MP as and when the cases are handed over to you.

Fee Schedule of SECL is being enclosed herewith by which payment of fee shall be governed.

Kindly acknowledge acceptance.

Yours faithfully,

Encl: As above.

  
(A.K. Shukla)  
Dy. Legal Manager

Cc :

1. GM(FIN), SECL, Bilaspur.
2. CGMs/GMs- Johilla/Sohagpur/J&K and Hasdeo Areas.
3. TS to Director (P), SECL, Bilaspur.
4. Dy. LM/Legal Inspectors - Johilla/Sohagpur/J&K and Hasdeo Areas.
5. S/Shri AA. Khan & KK. Bajpayee, L/Inspectors, SECL, Bilaspur.

केनरा बैंक  Canara Bank

Ref: BPLCO/R&L/ADV EMP/1438/KG

From  
Canara Bank  
Circle Office  
Bhopal

To  
Sri Awadesh Kumar Singh  
Advocate  
R/o: G-2, Panchsheel Nagar,  
Gwarighat Road, Jabalpur (M.P.)

Also at:

1. Golden Jubilee Hall, First Floor Seat No. 368, High Court Campus, Jabalpur (M.P.)
2. A-262, Shahpura, Bhopal (M.P.)
3. B.D.A. Market, Bus Stop No. 7, Chamber No. 349, Bhopal.

Dear Sir,

**Sub: Empanelment of Sh. Awadesh Kumar Singh Advocate in HO panel of Advocates.**

We are glad to inform you that, you have been empanelled in our Bank's HO panel of Advocate from 25.06.2013.

You shall be bound by the guidelines / policy of the Bank, which is in force from time to time.

- a) Fee and other charges shall be as per Bank's Rules.
- b) You should not use Bank's name, symbol etc. in your letter head, sign board, name plates, pamphlets, etc; such as 'Legal advisor to Canara Bank' / 'Advocate for Canara Bank', etc.
- c) You shall not appear / advise against any Branch / Office of the Bank, under any circumstances.
- d) Inclusion of your name in the Bank's panel shall not constitute an appointment or a right for an appointment to be made by the Bank and that Bank reserves its right to terminate such engagement at any time.
- e) The Bank is free to employ any Advocate of its own choice and no right exists for an empanelled Advocate to claim that he alone should be entrusted with Bank's work.
- f) There shall be review of performance of panel Advocates by Bank every year.

This letter is issued solely for the purpose of informing your empanelment in our Bank's panel of Advocates and shall not be produced / lodged before any forum / authority, without the express permission of the Bank.

Place : Bhopal  
Date : 03.07.2013



  
Divisional Manager

Legal Section  
Canara Bank  
Circle Office, Bhopal  
Paryawas Bhawan, Block No.3  
5th Floor, J.P. Road, Arera Hills  
Bhopal

0755 2671005, 2577990  
F- 0755-2765966  
E [reccobpl@canarabank.com](mailto:reccobpl@canarabank.com)  
[www.canarabank.com](http://www.canarabank.com)



बैंक ऑफ बड़ोदा Bank of Baroda

B:OB:ZO:MP&CG:19:Legal:2013: 494

Date: 24.07.2013

Shri A.K. Singh (Advocate)  
Golden Jubilee Hall,  
High Court Campus,  
Seat No. 368  
JABALPUR [M.P.]

Dear Sir,

**Re : Your empanelment as Bank's advocate for our branches at Jabalpur Branches.**

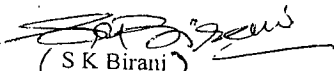
This has reference to your application dt. 19.07.2013 wherein you have evinced interest for empanelment as a panel advocate with our bank. We are pleased to inform you that your request has been considered favorably and you are advised to give your consent for empanelment on following terms and conditions:

1. You will abide by bank's terms and conditions and you will not claim any retainer fee or employment in bank's service.
2. You will not accept case against the bank.
3. You will take necessary steps to protect the interest of the bank in matters entrusted to you from time to time.
4. You will be paid fees as per bank's schedule of fees payable in different matters.
5. Your empanelment does not confer any right or claim that you alone should be entrusted with the bank's work.
6. You will not enter any compromise with the opposite party without written instructions given by the bank.
7. The bank may at any time, at its discretion, withdraw from you any proceedings/ matter/brief and may discontinue you as bank's advocate without assigning any reason thereof and without paying any further fees.
8. You will keep bank informed about the developments in the matter entrusted to you.
9. Separate and specific instructions will be given to you at the time of entrustment of matter to you.
10. Unless a case is specially assigned to you by the bank, you will not on your own receive Summons/Notices of the bank's matters and even if you receive, if no Vakalat is given to you, you shall not otherwise deal with such cases. However, you will immediately inform the bank/branch to which you are attached.
11. You shall not use bank's name or symbol, logo in your letter heads, sign boards name plates etc.
12. In case, you do not take interest in execution of decrees expressly or implication, you are liable to be removed from the panel of advocates.
13. In case of any misconduct the bank will take appropriate action against you which include filing complaint with Bar Council and recovery of financial loss caused to bank due to your misconduct.
14. In case of initiation of any disciplinary proceedings/ criminal proceedings against you, the bank may remove you from the panel even without waiting for the conclusion of such proceedings.
15. Your performance will be reviewed at regular intervals and if your services are not required/found up to the mark then bank will remove you from panel and the cases/matters entrusted to you will be taken back from you.
16. The initial empanelment will be for a period of 3 years. However, on completion of the term and satisfactory performance, the same may be renewed further at the sole discretion of Bank of Baroda.

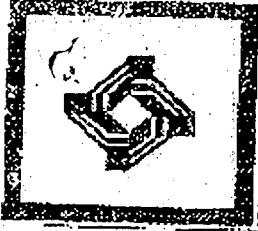
You are requested to return the duly signed duplicate copy of this letter indicating your unconditional consent or agreeing the terms and conditions. You are also requested to execute an undertaking as per the enclosed draft on Rs.100/- Stamp paper and send it to us.

We look forward for better co-operation in the matters and hope for good relation with you.

Yours faithfully,

  
(S K Birani)  
Chief Manager Coordination  
MP & CG Zone Bhopal]

अंचल कार्यालय ( म.प्र. एवं छ.ग. अंचल )/क्षेत्रीय कार्यालय ( भोपाल ) : प्लॉट नं. 202, गंगा जमुना काम्पलेक्स, महाराणा प्रताप नगर, जोन-1, भोपाल-462 011 ( म.प्र. ) भारत  
फोन 91 0755 2557721, 2572297 फैक्स 91 0755 4274202  
Zonal Office (M.P. & C.G. Zone)/Regional Office (BHOPAL) : Plot No. 202, Ganga Jamuna Complex, M.P. Nagar, Zone-I, Bhopal-462011 (M.P.) India  
Phone 91 0755 2557721, 2572297 Fax 91 0755 4274202  
E-mail:zm.mpz@bankofbaroda.com www.bankofbaroda.com



**सेण्ट्रल बैंक ऑफ इंडिया**  
**Central Bank of India**

क्षेत्रीय कार्यालय - जबलपुर

REGIONAL OFFICE - JABALPUR

पता-601, नेपियर टाऊन जबलपुर

Address: 601, Napier Town, Jabalpur

फोन नं. 0761-2413689, 2400490, 2403077

फैक्स नं. 0761-4084560

RO/JBL/LAW/2013-14/188

Date-22.08.2013

Shri A.K.Singh

Advocate

G-2, Panchsheel Nagar

Gwari Ghat Road

Jabalpur (M.P.)

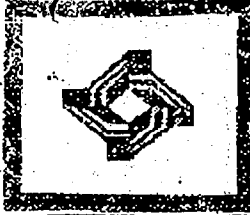
Sir,

Reg: Empanelment in Bank's approved list of advocates.

We are pleased to inform you that the Bank has considered your request to include your name in its panel to give LSR, legal opinions, issue notices, and conduct execution petitions, suits and appearing in other matters in various courts on behalf of the Bank in our Region.

Please note that your empanelment is subject to the following terms and conditions:

1. That you will accept Bank's cases as per the schedule of fees prescribed by The Bank.
2. The fees so negotiated and settled should be for all work involved from the time of issuing notices till the final disposal of the case i.e., completion of execution proceeding, and besides the fees you will be paid actual miscellaneous expenses but no separate fees is payable for interlocutory matter/interim application filed by the Bank or opposite party.
3. The fee will be paid to you in three installments i.e. 1/3<sup>rd</sup> at the time of filing of application /case, 1/3<sup>rd</sup> after the certificate is issued and balance 1/3<sup>rd</sup> after the completion of execution proceeding, on the case finally being disposed off and certified copies of the judgment/decrees/order being handed over to the branch.
4. Please note that if for any reason before the hearing and final disposal of the case, the Bank desire to change the Lawyer, the bank will be at liberty to discharge you at any stage for which you will have not any objection, and you will handover the paper /briefs to the Bank and in such event you will be entitled to proportionate fee only and not the full fees as may have been agreed.
5. If at any stage, a case is settled /compromised and withdrawn before the hearing and final disposal, the fees payable to you will be on the basis of quantum merit i.e., on work done up to the date of settlement /compromise/withdrawal of the case.
6. You will apprise the Bank in writing from time to time the development of the cases with next date of hearings in all the cases handed by you without delay.



**सेन्ट्रल बैंक ऑफ इंडिया**  
**Central Bank of India**

**क्षेत्रीय कार्यालय - जबलपुर**

**REGIONAL OFFICE - JABALPUR**

पता-601, नेपियर टाउन जबलपुर

Address: 601, Napier Town, Jabalpur

फोन नं. 0761-2413689, 2400490, 2403077

फैक्स नं. 0761-4084560

7 In any stage of the case, the Bank desires to engage a senior advocate to argue the case, you will have not any objection thereto and will give your consent to such engagement of the Senior Advocate. You will attend our offices in giving your valuable guidance and services as and when you are approached.

8 You will not conduct/accept any case against the Bank and if you are already having any case against the Bank the same should have been given up by you.

9. You will keep the Bank informed in writing from time to time regarding the position of the cases with your opinion.

10. Your empanelment will be solely at the discretion of the bank and can be discontinued at any point of time and you shall not have any claim as a matter of right for continuation of the empanelment. Further by virtue of your empanelment you will not have any right of empanelment in whatsoever manner in the Bank and Bank will be liberty to circulate to Banks /institutions to bar council for the negligence/misconduct if any found by the Bank at any time in future.

11. You shall not delegate or assign the Banks work to any other Advocate.

12 You shall not use any legend containing the Banks name on emblem, such as Advocate/Legal advisor for Central Bank Of India on your visiting card/Letter head used by you.

Please note that your performance will be reviewed every year by controlling office of the Bank.

We are confident that you will bestow your best attention and advise the Bank to protect its interest in best possible manner.

You are requested to send the copy of this letter duly signed acknowledged by you accepting the above term and conditions for our records.

With best wishes,

Your faithfully

**P.K.SHUKLA**

**(DY.REGIONAL MANAGER)**



## रजिस्टर्ड पत्र

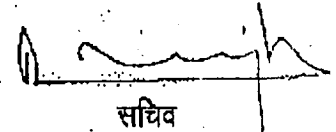
क्रमांक/1723/विधि/ /2013 माध्यमिक शिक्षा मण्डल, म०प्र० भोपाल भोपाल, दिनांक /10/2013  
प्रति - 5 OCT 2013

✓ श्री. ए.के. सिंह  
अधिवक्ता,  
उच्च न्यायालय म.प्र. जबलपुर  
(म०प्र०)

विषय:- माध्यमिक शिक्षा मण्डल म.प्र. भोपाल के अधिवक्ता पैनल में नियुक्ति के संबंध में।

माध्यमिक शिक्षा मण्डल, म.प्र. भोपाल, के विरुद्ध उच्च न्यायालय जबलपुर एवं अन्य न्यायालयों में दायर प्रकरणों में मण्डल की ओर से प्रतिरक्षण करने तथा मण्डल की ओर से दायर प्रकरणों में मण्डल का पक्ष समर्थन करने हेतु आपके आवेदन के आधार पर आपको माध्यमिक शिक्षा मण्डल, के अधिवक्ताओं के पैनल में सहर्ष नियुक्त किया जाता है। आवश्यकतानुसार आपको प्रकरणों में अधिवक्ता नियुक्त किया जावेगा, जिनमें माध्यमिक शिक्षा मण्डल द्वारा निर्धारित शुल्क एवं संलग्न शर्तों के अनुरूप आपको प्रतिरक्षण अथवा पक्ष समर्थन की कार्यवाही करना होगी। म०प्र० माध्यमिक शिक्षा मण्डल, द्वारा नियुक्त पैनल अधिवक्ताओं के लिए निर्धारित की गई शर्तों की छायाप्रति संलग्न है।

संलग्न:- उपरोक्तानुसार (शर्त)



सचिव  
माध्यमिक शिक्षा मण्डल  
मध्यप्रदेश भोपाल

चू. क्रमांक: /विधि/ /10/2013 दिनांक: /10/2013  
प्रतिलिपि:-

1. रजिस्ट्रार, मध्यप्रदेश उच्च न्यायालय, जबलपुर की ओर सूचनार्थ।
2. महाधिवक्ता, मध्यप्रदेश, जबलपुर की ओर सूचनार्थ।
3. अध्यक्ष/सचिव, माध्यमिक शिक्षा मण्डल के निज सचिव की ओर सूचनार्थ प्रेषित।
4. संभागीय अधिकारी, संभागीय कार्यालय माध्यमिक शिक्षा मण्डल जबलपुर की ओर आवश्यक कार्यवाही हेतु प्रेषित।

सचिव  
माध्यमिक शिक्षा मण्डल  
मध्यप्रदेश भोपाल

To,  
Shri Awadesh Kumar Singh  
House no. G-2, Panchsheel Nagar  
Gwarighat Road  
Jabalpur (M.P.)

Date: 03.12.2018  
DRT/JBP/2018-19/04

Dear sir/ Madam

**Sub: Your application/ request for empanelment**

With reference to your request/application dated **24.10.2016** for inclusion of your name in the panel of advocates of the Bank, we are pleased to advise that the Competent Authority has approved your empanelment on the Bank's panel of advocates for **DRT, Jabalpur** centre (if the advocate is empanelled for centre, the name of the centre should be stated, in case of empanelment for a particular branch(es), name of branch(es) should be specified).

2. Your empanelment in the Bank is subject to the following:-
  - Under no circumstances you shall use any legend containing Bank's name or symbol in your letterheads, visiting card, signboards, name plate etc., such as 'Legal Advisor to SBI', 'Advocate for SBI', etc.
  - Inclusion of your name in the Bank's panel of advocates does not confer on you any right that you alone shall be entrusted with the Bank's work and the Bank is free to employ any advocate of its choice at its own discretion.
  - You will abide by the terms and conditions regarding fees, charges, as per Bank's instructions in vogue from time to time in respect of the matters/work entrusted to you.
  - You shall not appear against the Bank in any matter and shall not represent or undertake any work from person or entity whose interests are adverse to Bank's interests.
  - In the event of negligence, professional misconduct on your part in handling the matters entrusted to you by the Bank or for any other sufficient reason, the Bank reserves the right to depanel you apart from initiating appropriate action against you under law including proceedings against you in Bar Council of India.
  
3. Kindly acknowledge by signing and returning the duplicate copy of this letter in token of acceptance of the terms of empanelment.

Thanking you,

Your's faithfully,

(C.D. Bhambhra)

Manager, DRT Cell  
Administrative Office,  
Vijay Nagar, Jabalpur



201  
07/01/2002  
BEFORE THE HON'BLE HIGH COURT MADHYA  
PRADESH

BENCH JABALPUR, DIST. JABALPUR

ANNEXURE

A/3

Writ Petition No. 1564/2002

Between

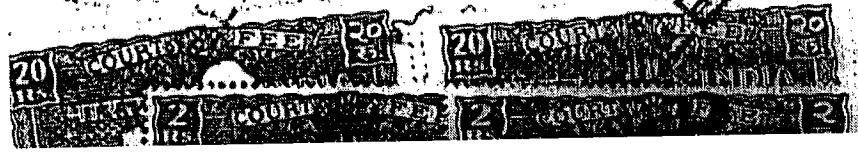
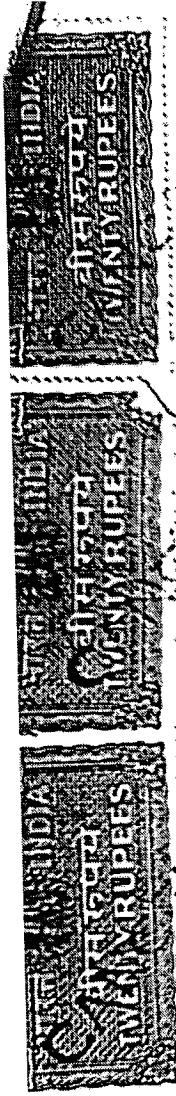
Dhram Das Patel aged about 41 years, S/O Shri Swanideen Patel working as Constable in the police department posted on deputation in the transport department & residence of Police Line Kotra Sultannbad Bhopal M.P.

.....APPLICANT

And

1. The State of M.P., Through, Secretary, Home (Police) Department, Vallabh Bhawan Bhopal.
2. The State of M.P., through, Secretary, Transport Department, Govt. of M.P. Vallabh Bhawan Bhopal
3. The Commissioner, Transport Department, Moti Mahal Gawallor M.P.
4. The M.P. Administrative Tribunal, Bench Bhopal, M.P. Through, Registrar.

.....RESPONDENTS

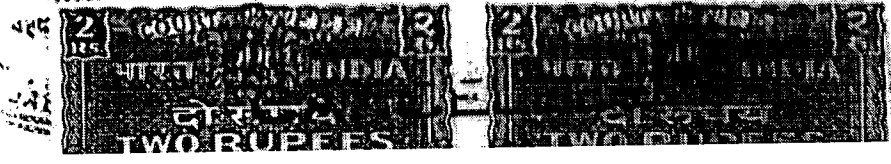




उच्च न्यायालय, मध्यप्रदेश, जबलपुर  
 मामला क्रमांक . . . . . W.P.No. 1564/2002 . . . . . सन् 200

प्रदेश प्रथम (भूमिपुत्र)

आदेश का दिनांक तथा आदेश क्रमांक	व्यक्तिगत विवरण	कार्यवाही के दिनांक और - 1 - के अन्तिम अंक
6/3/2002	<p>By this writ petition, the petitioner has called in question the prognability of the order dated 2.3.2002 passed by Madhya Pradesh Administrative Tribunal, Bhopal (in short 'the Tribunal') in O.A. No.1279/2001.</p> <p>2. Sans unnecessary details, the facts which need to be stated for disposal of this writ petition are that the petitioner as applicant instituted the aforesaid Original Application seeking absorption in the department of Transport under the State of Madhya Pradesh. It was putforth by him before the Tribunal that he was appointed as a Constable in the Police Department and after serving for some time, he was posted on deputation in the Transport Department. The prayer of the petitioner before the Tribunal is that he had submitted a representation to the Secretary (Home) as well as to the Secretary, Department of Transport to consider his representation and absorb him in the Transport Department. Such a claim was advanced by the petitioner on the backdrop that he had suffered an injury in the accident and he had been advised to perform light duty. Certain similar examples were given where the Tribunal</p>	



7

उच्च न्यायालय, मध्यप्रदेश, जयपुर

संख्या क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वापत्र)

हस्ताक्षर पत्रक

प्रतिवादी (अपील) के अधिकार

had directed for extention of such benefits to certain employees but the learned Vice Chairman placing reliance on the order dated 27.3.2000 further relying on the decisions rendered in the cases of Batilal B. Soni and others Vs. State of Gujarat, AIR 1990 SC 1132 and State of Punjab Vs. Inder Singh and others, (1997) 8 SCC 372, came to hold that the case of the petitioner did not merit consideration and accordingly dismissed summarily the Original Application in limine.

3. Mr. A.K.Singh, learned counsel appearing for the petitioner, has submitted that the Tribunal has fallen into gross error by not treating the petitioner at par with the other employees who had been conferred the said benefits. It is urged by him that the method of pick and choose adopted by the two departments of the State is absolutely unreasonable and that the action being arbitrary is hit by Article 14 of the Constitution of India. It is further canvassed by him that the petitioner has served for considerable length of time and is not in a position to do the rigorous duty as is

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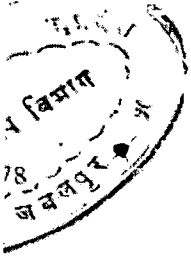
उच्च न्यायालय, मध्यप्रदेश, जबलपुर  
मामला क्रमांक ..... W.P.No. 1564/2002 ..... सन् 200

आदेश पत्रक ( पूर्वानुबन्ध )

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में द्वितीय रजिस्ट्रार के अन्तिम आदेश -3-
	<p>expected of a person working in the department of Police and that warranted a sympathetic consideration by the twin departments of the State, but unfortunately the case has not been considered in that light which warrants interference by this Court. Learned counsel for the petitioner has placed heavy reliance on the decision rendered in the case of <u>Rameshwar Prasad Vs. Managing Director, U.P. Rajkiya Nirman Nigam Ltd. and others</u> AIR 1999 S.C. 3443.</p> <p>4. To appreciate the aforesaid submission, it is apposite to refer to the decision rendered in the case of <u>Ratilal B. Soni (Supra)</u>, wherein the Apex Court ruled that an employee on deputation does not get any right to be absorbed on deputation post and he can be reverted at any time. Their Lordships in the case of <u>Inder Singh and others (Supra)</u> held as under :-</p> <p>"Concept of "deputation" is well understood in service law and has a recognised meaning. "Deputation" has a different connotation in service law. The dictionary meaning of the word "deputation" is of no help. In simple</p>	

1-3-2002-50,000.





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उच्च न्यायालय, मध्यप्रदेश, जबलपुर

W.P. No. 1564/2002  
मामला क्रमांक ..... सन् 200

आदेश पत्रक ( पूर्वानुबन्ध )

का तथा क्रमांक	हस्ताक्षर सहित आदेश	कैथिलियन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>words, "deputation" means service outside the cadre or outside the parent department. Deputation is deputing or transferring an employee to a post outside his cadre, that is to say, to another department on a temporary basis. After the expiry period of deputation, the employee has to come back to his parent department to occupy the same position unless in the meanwhile he has earned promotion in his parent department as per the recruitment rules. Whether the transfer is outside the normal field of deployment or not is decided by the authority which controls the service or post from which the employee is transferred. There can be no deputation without the consent of the person so deputed and he would, therefore, know his rights and privileges in the deputation post."</p> <p>5. In the case of <u>Rameshwar Prasad (Supra)</u>, a two Judge Bench of the Apex Court was dealing with U.P. Absorption of Govt. servants in Public Undertakings Rules (1984). While discussing with the concept of deputation, their Lordships in paragraph 14 held as under :-</p> <p>"14. We agree with the learned counsel for the respondent No.1 and make it clear that an employee who is on deputation has no right to be absorbed in the service where he is working on deputation. However, in some cases it may depend upon statutory rules to the contrary. If rules provide for absorption of employees on</p>	

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

मामला क्रमांक ..... W.P. NO. 1564/2002 सन् 200

आदेश पत्रक (पूर्वाभियन्त्र)

दिनांक तथा श क्रमांक	हस्ताक्षर सहित आदेश	-5- कार्यालयीन मामलों में द्वितीय रजिस्ट्रार के अंतिम आदेश
	<p>deputation then such employee has a right to be considered for absorption in accordance with the said rules. As quoted above, Rule 16(3) of the Recruitment Rules of the Nigam and Rule 5 of the U.P. Absorption of Government Servants in Public Undertaking Rules, 1984 provide for absorption of employees who are on deputation."</p> <p>On a perusal of aforesaid decision, it is graphically clear that a deputationist has no right to be absorbed in the department on deputation and he can be repatriated at any point of time. In the case of <u>Rameshwar Prasad (Supra)</u> as has been stated earlier, their Lordships while considering the relevant Rules, have further clarified that if Rules provide for absorption of employees on deputation then such an employee has a right to be considered for absorption in accordance with the said rules. Thus the governing factor is Rules in vogue. We have not been shown any rules which deals with absorption in the department, to which the petitioner was sent on deputation. Thus there is no statutory right in favour of the petitioner.</p> <p>6. The next submission of Mr. Singh is that similarly situated persons, namely, Kishan Sharma,</p>	

शे-2257-उनिशाकेमुभो-1-3-2002--50,000.

COURT OF JUDGES





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उच्च न्यायालय, मध्यप्रदेश, जबलपुर  
W P No. 1564/2002  
सामग्री क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वनिबन्ध)

देश का निक तथा क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में के अन्तिम आदेश
		-6-
	<p>Virendra Singh and Surendra Kumar Mishra have been absorbed in the department of Transport on health grounds. As no right is there, we do not intend to advert into on what basis such orders have been passed. The aforesaid order in any case has not been assailed before us. Considering the totality of circumstances, we grant leave to the petitioner to represent to the competent authority to absorb him in the Transport Department. We may hasten to clarify that no right inheres in the petitioner and such order of absorption would be totally in the discretion of the State Government keeping in view the health condition of the petitioner. If a representation is made in this regard within a period of four weeks from today, the same shall be dealt with compositely by the competent authority of the twin departments within a period of four weeks from the date of the receipt of representation. The petitioner shall be intimated about the aforesaid order.</p> <p>7. With the aforesaid observation, the writ petition stands disposed of without any order as to costs.</p> <p>C.C. as per rules within a week</p>	

sd/-  
(D. P. K. Mishra.)  
- Judge

sd/-  
(A. K. Sharma) Judge

TRUE COPY  
Head Copy (at)  
High Court of Madhya Pradesh,  
JABALPUR

(2)

*copy of order sheet*

IN THE HIGH COURT OF JUDICATURE AT JABALPUR

WP No. 2802 of 2004

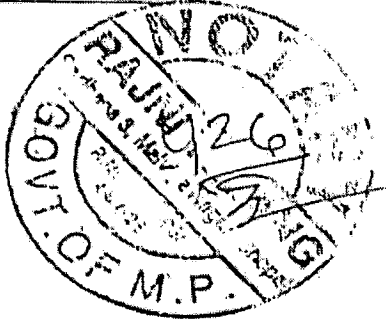
PETITIONER

Alok Pratap Singh

Versus

RESPONDENTS

1. Union of India, Through Ministry Environment and Forest, New Delhi.
- (b) Department of Chemicals and Petrochemicals, Ministry of Chemicals and Fertilizers, New Delhi.
2. State of Madhya Pradesh through its Chief Secretary, Vallabh Bhawan, Bhopal, M.P. and 4 others.



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*1994*

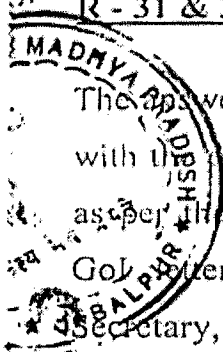
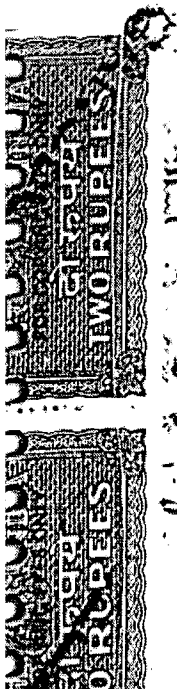
APPLICATION REPORTING COMPLIANCE OF THE ORDER DATED 15.03.2007.

The answering Respondent No. 2 named above respectfully submit as under :-

1. The answering Respondent respectfully submits that the compliance of the order passed by the Hon'ble High Court on 15.03.2007 directed that the Central Government can make available funds to the State Government for starting the work of removal of wastes from the factory site at Bhopal. In the said order the Hon'ble Court indicated that the total estimated cost of removal of wastes had been worked out at Rs. 2.00 crores and that the State Government had already incurred a total expenditure of 90.00 lacs under different heads. The Government of India has sanctioned its shares of Rs. 1.00 crore vide letter dated 13.03.2007 and 05.04.2007 herewith marked as Annexure R - 31 & 32.

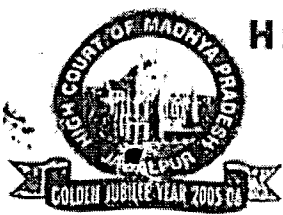
The answering respondent respectfully further submits that to comply with the order of Hon'ble High Court, Jabalpur dated 13.05.2005 and as per the direction of Department of Chemical & Petrochemicals, Govt. of India letter dated 05.04.2007 the joint account of the Principal Secretary, Govt. of Madhya Pradesh and Chairman, M.P. Pollution Control Board, Bhopal has been opened in State Bank of India, Mahavir Nagar, Bhopal by the State Government.

--- 2-





DATE OF THE ORDER	ORDER
	<p style="text-align: center;"><u>Writ Petition No.2802/2004</u></p> <p>21-6-2007</p> <p>By order dated 8.5.2007 we had directed the Deputy Secretary, Department of Chemicals and Petrochemicals, Government of India, Mr.Yashvir Singh to appear before this Court today with a demand draft of Rs.45 lacs in favour of Principal Secretary, Bhopal Gas Tragedy, Relief and Rehabilitation Department, Bhopal and Chairman, M.P.State Pollution Control Board, Bhopal so that the work of transportation of the waste will be taken up immediately. This order was passed because in earlier order dated 13.5.2005 of this court we had directed that a sum of Rs. 1.45 crore will be deposited by the Central Government and instead of Rs.1.45 crore, Central Government had deposited 1.crore.</p> <p>It has now been clarified by Mr.Vivek Tankha, learned counsel appearing for the Union of India and Mr.R.N.Singh, learned Advocate General appearing for the State of Madhya Pradesh that the total cost for removal of the waste and transportation to Ankleshwar in Gujarat works to Rs.2.00 crore and as per the orders of the Court 50% of the cost is to be borne by the Central Government and 50% of the cost is to be borne by the State Government.</p> <p>In view of the aforesaid clarification and in view of the fact that Rs.1.00 crore has already been deposited by the Central Government, no further amount need be deposited by the Central Government for the time being. The personal appearance of the Deputy Secretary, Department of Chemicals and Petrochemicals, Government of India, Mr.Yashvir Singh is dispensed with.</p>



# HIGH COURT OF MADHYA PRADESH

ORDER SHEET

CASE No. .... 200 .....

..... Vs. ....

DATE OF THE ORDER

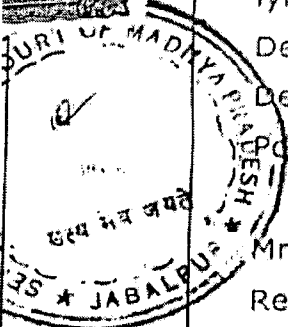
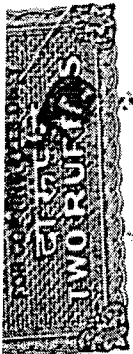
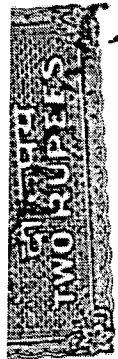
ORDER

In the compliance report dated 6.5.2007 filed by the State Government, it is stated that instead of M.P.State Pollution Control Board, Bhopal, the work of transportation, repacking and isolation of waste lying in the UCIL factory site at Bhopal will now be undertaken by the Bhopal Gas Tragedy, Relief and Rehabilitation Department, Government of M.P., Bhopal.

Mr. V.S.Shrotri, learned counsel appearing for the M.P.State Pollution Control Board, Bhopal, submitted that although a statement was made on behalf of the Pollution Control Board earlier before this Court that such work will be undertaken by the Pollution Control Board, the Pollution Control Board being a technical body cannot take up the execution of any work and, therefore, this work of transportation, repacking and isolation of waste lying in the UCIL factory site at Bhopal will be now taken up by the Bhopal Gas Tragedy Relief and Rehabilitation Department, Government of M.P., Bhopal.

Mr.R.N.Singh, learned Advocate General appearing for the State of Madhya Pradesh has, however, submitted that the work of transportation, repacking and isolation of waste lying in the UCIL factory site at Bhopal will be done by the Department through an agency to be employed by the Department and under the technical supervision of the Pollution Control Board.

Considering the aforesaid submissions made by Mr.Shrotri and Mr.Singh, we direct the Bhopal Gas Tragedy Relief and Rehabilitation Department, Government of M.P., Bhopal to undertake the work of transportation, repacking and isolation of waste lying in the UCIL factory site at Bhopal



DATE OF THE ORDER	ORDER
	<p>by employing an agency of its choice and the work will be done under the technical supervision of the Madhya Pradesh Pollution Control Board.</p> <p>An application for intervention has been filed by Shri Ziya Pathan, who claims to be Human Rights Activists residing at Kasbatiwad, Ankleshwar, Gujarat.</p> <p>Mr.A.K.Singh, learned counsel appearing for the aforesaid intervenor submitted that the waste material should not be transported to Ankleshwar as Ankleshwar is already polluted and the incinerator at Ankleshwar is not working properly.</p> <p>We find from the records of this case that a task force headed by the Secretary Department of Chemicals and Petrochemicals with a number of experts in their meeting held on 16.10.2005 has taken a decision that the transportation of different types of waste may be done either at TSDF at Pithampur or in the incinerator at Ankleshwar, Gujarat. Pursuant to said decision taken on 16.10.2005, various measures have been taken from time to time by different authorities and orders have been passed by this court from time to time for ensuring that the toxic waste from UCIL factory at Bhopal is transported to the incinerator at Ankleshwar, Gujarat for disposal and at this stage it will not be proper for this court reverse the progress in the matter and to recall the orders passed by this Court earlier. The intervenor Shri Ziya Pathan will however be heard in the matter.</p> <p>The work of transportation, repacking and isolation of waste lying in UCIL factory site at Bhopal be initiated as early as possible by Bhopal Gas Tragedy, Relief and Rehabilitation</p>

..... Vs. ....

OF THE  
ORDER

ORDER

Department, Bhopal and progress reports be filed every month by the Department.

The other applications for intervention will be taken up for hearing on the next date of hearing.

The matter be now listed on 8.8.2007.

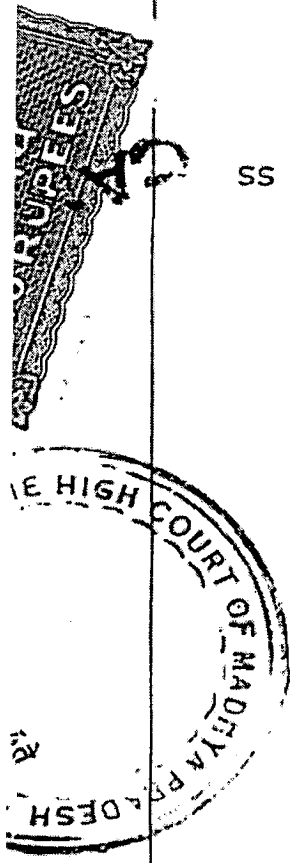
CC as per rules.

*sd/*  
(A. K. PATNAIK)  
CHIEF JUSTICE

*sd/*  
(AJIT SINGH)  
JUDGE

SS

*[Signature]*  
High Court of Madhya Pradesh  
JABALPUR



*[Handwritten signature]*

IN THE HIGH COURT OF JUDICATURE AT JABALPUR, M.P.

W.P. No. 2358 /2004

*P/O*

M/s Bhagwati Industries Vs. State Bank of India & 2 other

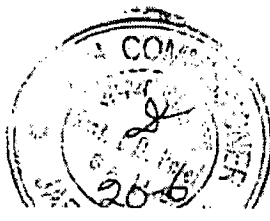
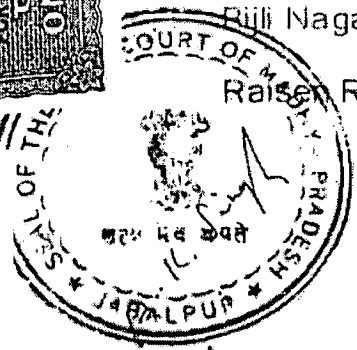
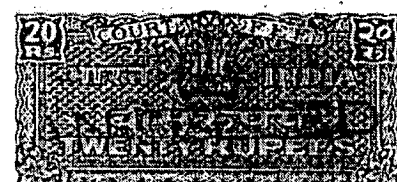
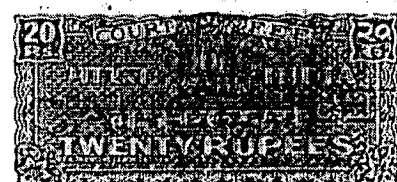
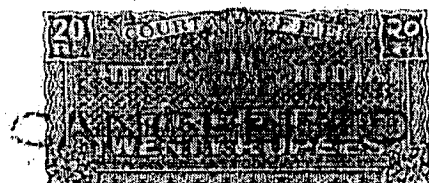
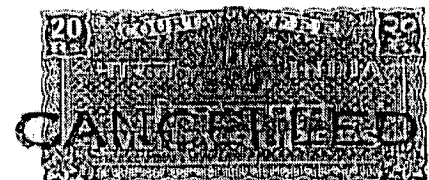
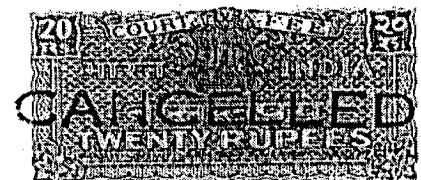
*361*

M/s Bhagwati Industries through its Proprietor O.P. Bajaj, aged about 57 years, S/O Late Shri L.D. Bajaj, Office at H-96, Industrial Area, Govindpura, Bhopal M.P.

.....PETITIONER

VERSUS

1. The State Bank of India,  
S.S.I. Branch,  
Industrial Area,  
Govindpura, Bhopal.
2. The Recovery Officer,  
D.R.T.,  
House No. 797-II,  
Santi Kunj, South Civil Line,  
Jabalpur
3. The Chairman & Managing Director,  
M P Central Zone,  
Electricity Distribution Center (Limited),  
Bijli Nagar Colony,  
Raisen Raod, Bhopal, M.P.



.....RESPONDENTS

*[Handwritten signature]*

DATE OF THE ORDER	ORDER
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5-7-2004

Shri A.K.Singh and Shri Devesh Khatri, counsel for the petitioner.

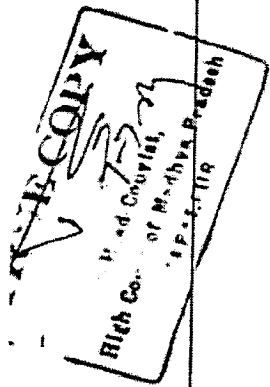
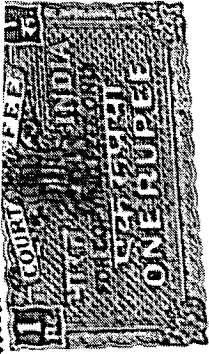
The petitioner has filed this petition challenging notice of auction Annexure P-3 by which the Recovery Officer of the Debt Recovery Tribunal has fixed a date on 8th July, 2004 for auction of the petitioner's property for recovery of the loan amount. Contention of the petitioner is that before issuance of notice Annexure P-3, petitioner was not afforded opportunity <sup>of hearing</sup> while the petitioner ought to have been afforded due opportunity. Though the petitioner has placed reliance on a judgment of the Kerala High Court, but that judgment is not available.

So far as the aforesaid contention that before issuance of notice Annexure P-3 petitioner was not afforded opportunity of hearing, the petitioner may approach to the concerned authority and may draw its attention towards his objection, if any, in respect of sale of the property. The petitioner may approach to the concerned authority by filing a duly constituted application. Needless to say that <sup>on filing such application</sup> concerning Recovery Officer shall consider it in accordance with law.

With the aforesaid directions, this petition stands finally disposed of with no order

as to costs.

c.c.as per rules. *ccy*  
 (K.K.Lahoti)  
 Judge





(23)  
CENTRAL ADMINISTRATIVE TRIBUNAL,  
JABALPUR BENCH,  
JABALPUR

Original Application No.59 of 2007

Jabalpur, this the 9<sup>th</sup> day of September, 2008

**Hon'ble Shri Mukesh Kumar Gupta, Judicial Member**  
**Hon'ble Shri Ranbir Singh, Administrative Member**

Manohar Lal Carpenter,  
S/o Late Shri Bhanwar Lalji Carpenter,  
R/o H-33, Adharshila Colony,  
Barkheda Pathani, Bhopal (M.P.)

**-Applicant**

(By Advocate – Shri A.K.Singh)

VERSUS



1. The Union of India through its General Manager,  
West Central Railway,  
Indira Market near Railway Station,  
Jabalpur, M.P.482001.

2. The General Manager,  
Central Railway, Chhatrapati Shivaji Terminal,  
Mumbai (Maharashtra)

3. The Divisional Railway Manager,  
West Central Railway,  
Habibganj, Bhopal, M.P.

4. The Senior Divisional Electric Engineer(General)  
West Central Railway,  
Bhopal, M.P.

5. Nafces Akhtar (Section Engineer)  
ETL/WCR, Bina,  
Railway Station, Bina M.P.

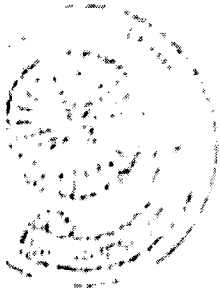
**-Respondents**

(By Advocate – Shri Vijay Tripathi for respondents No.1-4 and  
Shri M.N.Banerji for respondent no.5 )

By Mukesh Kumar Gupta, JM.-

In present application, filed under Section 19 of Administrative Tribunal Act, 1985, applicant challenges communication dated 4.1.2007 rejecting his request for amending the seniority list. He also seeks directions to respondents 1-4 to refix his seniority over respondent no.5 as well as accord him necessary dues in the form of pay and allowances of promotional post along with costs. He also seeks relief, which are deemed fit, appropriate & necessary in the given circumstances.

2. The facts required to be noticed are that applicant's immediate junior Shri Nafees Akhtar (respondent no.5) had been promoted vide order dated 20.1.1998 as Sectional Engineer. The applicant's grievance is that he had been overlooked while granting said promotion to respondent No.5 and, therefore, he made necessary representations to concerned authorities. Vide order dated 12.2.1998 (A-8) applicant was regularised in the grade of Rs.1600-2660 and on the same date by passing another order was placed over and above respondent no.5 in the seniority list. A written test was conducted for selection to the post of Sectional Engineer grade Rs.6500-10500 wherein he was declared qualified and vide communication dated 3.4.1998 he was directed to appear for viva voce on 21.4.1998. On 6.5.1998 (A-10) result of the said selection was announced by forming a panel wherein his name did not figure therein. He had been promoted only on 7.7.2004 (A-11) on restructuring in the Railways. His representation made on 28.12.2006 was rejected by the impugned communication dated 4.1.2007 (A-1) stating that the result declared by the headquarter can not be amended/modified by the Division.



3. Shri A.K.Singh, learned counsel appearing for applicant contends that he has been denied parity at par with said respondent no.5 on a very specious plea, which is illegal, arbitrary and unjust, besides violative of Articles 14 & 16 of the Constitution of India.

4. Respondents 1-4 in their reply stated that respondent no.5 was directly recruited and posted in the grade of Rs.1400-2300 w.e.f. 4.11.1991 in open line, Itarsi while applicant was appointed as Assistant Operator in grade Rs.380-560 in Railway Electrification Project (R.E) Bhopal on temporary basis. He was promoted on adhoc basis in RE organisation on 20.9.1993. RE is a temporary organisation and promotions made therein did not confer any right to the concerned person over the person working in open line. Applicant was relieved from RE organisation on 26.8.1995 to Bhopal division. He was promoted on adhoc basis for 59 days in grade Rs.1600-2660/Rs.5500-9000. Since junior to applicant, respondent no.5 was promoted in said grade w.e.f. 16.11.1993, applicant was given proforma promotion w.e.f. 11.11.1993 vide letter dated 12.2.1998 (A-8). Thereafter, applicant participated in the selection held in the year 1998. He was found eligible for viva voce test, but his name did not find place in the select list dated 6.5.1998. Respondents have also pleaded that OA is hopelessly barred by time. Vide reply para 10 it was stated that in fact vide letter dated 3.4.1998 result of written test was declared, which found the applicant eligible for viva voce. After selection as noticed hereinabove his name did not find place in the panel dated 6.5.1998. The basic reason assigned had been that all the persons empanelled in panel dated 6.5.1998 are senior to him, and, therefore, he was not selected in the grade of Rs.2000-3200.



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5. Respondent no.5 has also filed reply almost on the said lines and stated that since he had been selected vide selection held in the year 1997, whereas applicant was considered against subsequent selection in 1998 as such he has no claim vis-a-vis him.

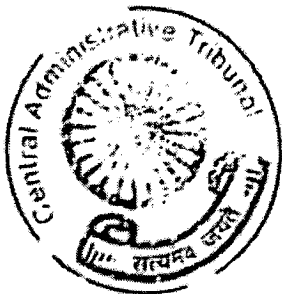
6. We have heard learned counsel of parties and perused the pleadings very carefully.

7. Para 316 of IREM Vol.I provides that; "A railway servant who, for reasons beyond his control is unable to appear in the examination/ test in his turn along with others, shall be given the examination/ test immediately he is available and if passes the same, he shall be entitled for promotion to the post as if he had passed the examination in his turn". The expression 'reasons beyond his control' has also been clarified under the said para.

8. Shri A.K.Singh, learned counsel strongly urged that since applicant had not been assigned proper placement in the seniority list, which has been corrected only on 12.12.1998 he was deprived to appear in the selection held in the year 1997 along with respondent No.5.

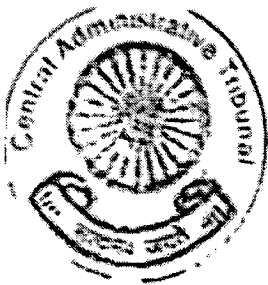
9. Shri Vijay Tripathi, learned counsel appearing for official respondents No.1-4 contended that applicant can not seek parity with respondent no.5 as respondent no.5 had appeared and qualified the selection in the year 1997, while the applicant's position is different.

10. The basic question which required to be considered is whether applicant can be made to suffer on account of mistake



committed by respondents No.1-4, which was later rectified to certain extent.

11. Upon hearing learned counsel, of parties and on perusal of record, we are satisfied that applicant's case squarely falls under Para 316 of the IREM Vol. I i.e. he could not appear in the selection held in the year 1997 beyond his control, namely for the reasons that his placement was not done appropriately & properly in the seniority list, which was corrected and rectified only vide order dated 12.12.1998. Such being the case, applicant was required to be considered along with Respondent No.5 for the selection of the year 1997 & not otherwise, which admittedly has not been done. As such we are of the considered view that applicant has not been treated justly & fairly. He has to be considered along with those who qualified and empanelled in the year 1997, and he could not be considered vis-à-vis those who are not placed at par with him i.e. those appeared in subsequent year i.e.1998. If the applicant qualifies said selection, which has to be undertaken afresh, by way of review, he will be entitled to only notional placement and not arrears of pay and allowances as prayed. This exercise shall be undertaken at the earliest & preferably completed within a period of three months from receipt of this order.



11. At this stage, Shri M.N.Banerji, learned counsel for private respondent no.5, apprehends that in case applicant is promoted, he may have to face reversion. At present, we are not concerned to this aspect as it is only an apprehension. However, we make it clear that in case respondents Nos. 1 to 4 found him empanelled, they shall regulate respondent no.5's case in terms of law and rules

28

6

OA No. 59/87

on the subject, and also keeping in view that he has been promoted long back.

12. In the result, OA is allowed with the above directions. No costs.

Sd/—

Sd/—

(Ranbir Singh)  
Administrative Member

(Mukesh Kumar Gupta)  
Judicial Member

rky



1120- 19/9/08  
कृतांकन सं अं/न्या... जवलापुर, दि...

- (1) सचिव, उच्च न्यायालय नगर प्रशासन, जवलापुर
- (2) अध्यक्ष श्री/श्रीमती/शु... सं नगरपालिका
- (3) कार्यवाही श्री/श्रीमती/शु... सं नगरपालिका
- (4) संयोजक, संयोजक, जवलापुर नगर प्रशासन एवं न्यायशास्त्र संयोजक सं

Shri A. K. Singh  
High Court and  
Jabalpur

Bahammie  
19/9/08

स. प्र. अ. जवलापुर (म.प्र.)

5/19/9

*order sheet*

**IN THE HIGH COURT OF JUDICATURE AT JABALPUR  
(M.P.)**

M.C.C. No. *1057*/2008

**APPLICANT**

*(9m Jail)*

Mathura Prasad S/o. Late Shri  
Panna Lal, age-Adult, R/o. Bharat  
Nagar, Sabji Farm, Shahpura,  
Bhopal

**VERSUS**

**NON-APPLICANT**

State of M.P. through  
Police Station- Shahpura, Distt.  
Bhopal, (MP)

**Crime No.** - 06/2008

**Offence** - U/S. 420, 467, 468, 471, 447, 120.B of the  
I.P.C.

**FIRST BAIL APPLICATION**

**APPLICATION UNDER SECTION 439 OF THE CODE OF  
CRIMINAL PROCEDURE FOR GRANT OF BAIL**

*21.2.08*  
*A.K. Singh*  
Advocate  
R. to A.R

The applicant above named most respectfully begs to submit as under:-

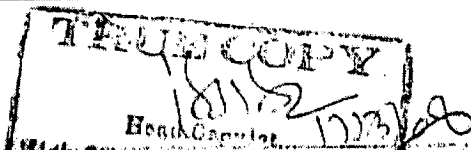
1. That, the police of police station Shahpura arrested the Applicant in connection with above said offences on 04-01-08, since then he is in jail.

That, the unfolded prosecution story is that on the basis of information of S.D.O. Tahsil Rajdhani Pariyojna Bhopal at Sabji Farm after inquiry proprietor of M/s. Priti Construction Jagdish Prasad Singh S/o. R.P. Singh R/o. Sathi Plaza, Shop No. 5, Nayapura Kolar made fabricated the photocopy of order No. 115/A/2/06/07 dt. 14-11-07 Page No. 182-A/Kh. A/Vya./2007 of S.D.O. Tahsil Huzur, Distt. Bhopal the Govt. Land Kh. No. 265/266/277/267/271/269/273 acquired on the basis of

*A.K. Singh*

DATE OF THE ORDER	ORDER
	<p>13.3.08 <b>M.Cr.C. No. 1953/08</b></p> <p>Shri A.K. Singh, counsel for the applicant. Shri S.K. Kashyap, Dy.Govt. Advocate for the State. Heard.</p> <p>The applicant has been arrested in connection with Crime No.6/08 registered at Police Station Shahpura, Bhopal under Sections 420, 467, 468, 471, 447 and 120-B of I.P.C.</p> <p>According to prosecution story, the applicant and co-accused executed a power of attorney in favour of Preeti Construction of the land belonging to the Government and thereafter, M/s. Preeti Construction Company executed sale deed of plots with the condition that the houses will be constructed on the plots.</p> <p>The learned counsel for the applicant has submitted that the applicant has not committed any offence. A <i>patta</i> was issued in favour of father of the applicant, and therefore, the applicant has not committed any offence. He never executed any document of the Government land.</p> <p>The learned counsel for the State opposed the application and submitted that the land is quite costly and the power of attorney was executed illegally and the construction company also sold the plots illegally. The offence is quite serious.</p> <p>I perused the case diary. As per prosecution story, the order dated 14.11.07 passed by SDO, Tahsil Huzur, Distt. Bhopal is a forged document. Whether this order is forged or not, it cannot be decided at this stage.</p> <p>Considering the nature of allegations and other facts, I am of opinion that the applicant can be enlarged on bail.</p> <p>The application is allowed and it is directed that the applicant Mathura Prasad shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/ (Rs. Twenty-five Thousand) with two sureties in the like amount to the satisfaction of trial Court.</p> <p>C.C. as per rules.</p>

(A.K. Saxena)  
Judge.



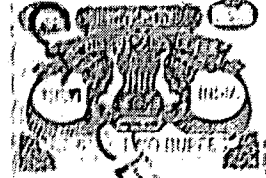


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IN THE HIGH COURT OF M.P. JUDICATURE AT JABALPUR

(34)

Writ Appeal No. 282 /2008

(Arising Out of W. P. No. 13767/ 2007 (S))



FILED

Smt. Radha Chourey, aged about 46 years, W/o Shri Mahendra Chourey, R/o. 5/61, Ravi Shankar Nagar Bhopal (M. P.)

—APPELLANT

VERSUS

1. The Board of Secondary Education Bhopal Through the Secretary, Board Office, Bhopal.(M. P.)
2. The Executive Engineer, Board of Secondary Education Board Office, Bhopal, (M. P.)

—RESPONDENTS

WRIT APPEAL UNDER SECTION 2 (1) OF MADHYA PRADESH  
UCCHA NYALAYA (KHAND NYAY PEETHO KO APPEAL)  
ADHINIYAM 2005.

The appellant, above named, being aggrieved by the order dated 12-03-08 passed by the Learned Single Judge in W.P. No. 13767/07 (S), be to prefer this appeal on the following facts and grounds inter-alia :-

A.10



on 28/3/08  
D. D. ...  
R-10 A.R

## ORDER

THE  
ER

WRIT APPEAL NO. 383/2008

11.4.2008

Heard Mr. A. K. Singh, learned counsel for the appellant.

This appeal is directed against the order dated 12.3.2008 passed by the learned Single Judge in W.P.(S) No. 13767/2007.

The appellant was an employee of the Board of Secondary Education. She was removed from service with effect from 1.4.2005. She has challenged the order of removal in W. P.(S) No. 4869/2005. During the pendency of W.P.(S) No. 4869/2005, the respondents passed the order dated 17.9.2007 evicting appellant from the house, which was in her possession. Aggrieved, appellant filed W.P.(S) No. 13767/2007 but by the impugned order dated 12.3.2008 the learned Single Judge dismissed the writ petition holding that the appellant has not made out any case for interference in order dated 17.9.2007.

When this appeal was listed on 9.4.2008 Mr. Singh, learned counsel for the appellant, submitted that in a similar case learned Single Judge has passed an order in W.P.(S) No. 8269/2007 allowing the writ petitioner in that case to retain the quarter but in the present case the appellant has not been allowed to retain her quarter.

In view of the aforesaid submission of Mr. Singh, we passed an order dated 9.4.2008 calling for the records of W.P.(S) No. 8269/2007 in the present case. The Registry has placed the record and on perusal of the same, we find that the petitioner in W.P.(S) No. 8269/2007 has also been removed from service by order dated 7.1.2005 and has been allowed to retain his quarter by order dated 13.7.2007 on the

DATE OF THE ORDER

ORDER

condition that the petitioner shall pay whatever rent he is liable to pay after his removal from service.

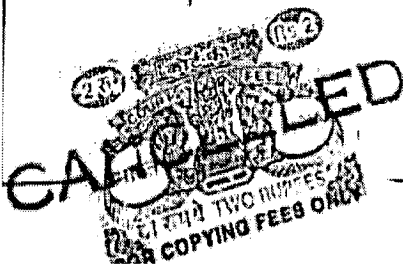
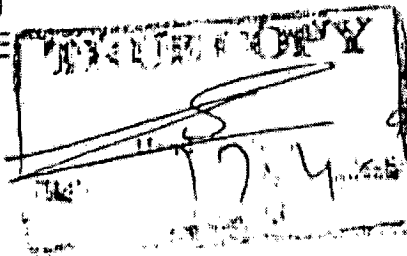
In the present case, the appellant has been removed from service by order dated 1.4.2005 and has challenged the order of removal in W.P.(S) No. 4869/2005. Since the order of eviction was passed subsequently on 17.9.2007 the appellant filed separate W.P.(S) No. 13767/2007 challenging the order of eviction, but by the impugned order the learned Single Judge dismissed the writ petition after holding that the appellant is not entitled to occupy the quarter allotted to her after her termination on 1.4.2005.

Thus, in both cases, orders of termination has been passed in the year 2005 but while in W.P.(S) No. 8269/2007 writ petitioner has been allowed to retain the quarter on his paying the rent after removal from service pending disposal of the writ petition, in the present case the appellant has not been allowed to retain the quarter on paying whatever rent she is liable to pay after the removal from service till disposal of W.P.(S) No. 4869/2005 in which the appellant has challenged of removal dated 1.4.2005.

For the reasons, we issue notice to the respondents in W.A. No. 383/2008 and direct them to allow the appellant to retain her quarter on payment of rent she is liable to pay after her removal from service.

Sd/-  
(A.K.PATNAIK)  
CHIEF JUSTICE

Sd/-  
(AJIT SINGH)  
JUDGE



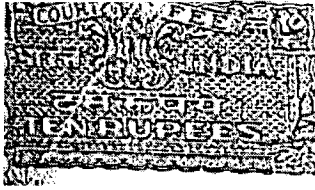


BY: [Signature]

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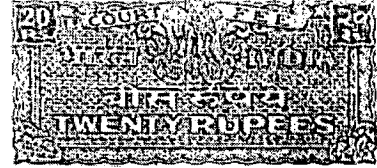
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IN THE HIGH COURT OF MADHYA PRADESH



PRINCIPAL SEAT AT JABALPUR

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W.P.NO. 984/2009

M/s Soleman Computer and others Vs. State Bank of Indore & Others.

M/s Soleman Computer Indore and Others, through its proprietor Sudhir Saxena Aged about 43 S/o J. P. Saxena R/o B-186, Shahpura, Bhopal (M.P.).

PETITIONER

VERSUS

1. The State of Bank of Indore SSI, Branch, Sajani Nagar Indore (M.P.)
2. The Chief manager.  
S.A.R.C.  
1st Floor, 22, Palsekar Colony Indore
3. The Debts Recovery Tribunal, Thought Registrar  
Debit Recovery Tribunal House No. 797, IInd Shanti Kunj,  
South Civil Line, Jabalpur (M.P.)

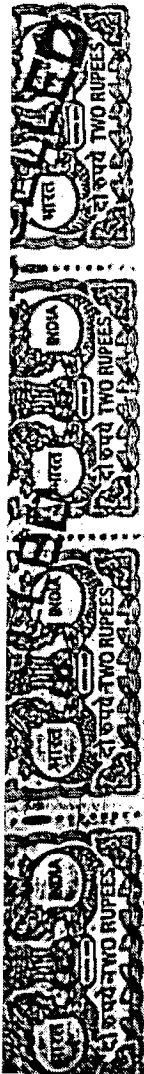
RESPONDENTS

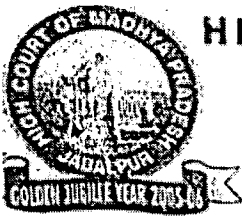
WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

PARTICULAR OF THE CAUSE/ORDER AGAINST WHICH THE PETITION IS MADE

SEP 2009

[Signature]





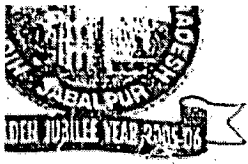
# HIGH COURT OF MADHYA PRADESH

ORDER SHEET

CASE No. 200

Vs.

DATE OF THE ORDER	ORDER
	<p style="text-align: center;">WP No.9841/ 2009</p> <p>24-09-2009</p> <p>Heard Shri A. K. Singh, learned counsel for the petitioner, on the question of admission and interim relief.</p> <p>The petitioner has filed this petition being aggrieved by the fact the respondent no.3 Debt Recovery Tribunal has directed the respondent Bank to initiate auction proceedings without deciding the objection filed by the petitioner before it.</p> <p>From a perusal of the impugned order it is apparent that the petitioner had previously approached this Court when the Debt Recovery Tribunal was without a Presiding Officer and this Court in W.P No.4218/2008 by order dated 9.4.2008 while entertaining the petition had granted interim stay. Subsequently, when the Presiding Officer was appointed in the DRT and as it started functioning the petition was permitted to be withdrawn with liberty to approach the DRT for mitigation of his grievances.</p> <p>From a perusal of Annexure P-9, it is apparent that the petitioner has approached the DRT by filing an objection in the pending M.A No.2/2005 and prayed for restraining the Bank from taking further steps in the auction proceedings which are to be held on 26.9.2009. The DRT instead of passing any order on the application, has listed it on 6.10.2009 by which date the auction proceedings would already be over.</p> <p>In the circumstances I am of the considered opinion that the Tribunal is required to consider and pass an order on the objection filed by the petitioner prior to the auction proceedings. In view of the aforesaid, the present petition is disposed of with a direction to the respondent no.3 to consider and pass orders on the objection raised by the petitioner prior to permitting the respondent Bank to hold auction. Till such orders are passed further proceedings in the auction proceedings shall remain stayed. To enable it to do so, a copy of the order passed today.</p>




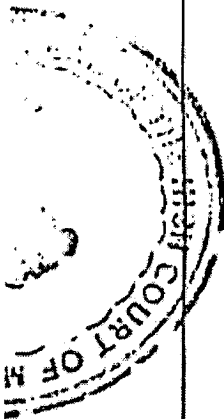
ORDER SHEET

32

CASE No. .... 200

..... Vs. ....

TYPE OF THE ORDER	ORDER
	<p>alongwith a copy of the petition be served on it by the petitioner.</p> <p>With the aforesaid direction the petition stands disposed of.</p> <p>C.C as per rules, today.</p> <p style="text-align: right;">             (R.S. Jha)            JUDGE         </p> <p>SKM.</p> <div data-bbox="718 1417 1173 1638" style="border: 1px solid black; padding: 5px; margin: 20px auto; text-align: center;"> <p><b>TRUE COPY</b></p> <p>Head Copyist.</p> <p>High Court of Madhya Pradesh</p> <p>JABALPUR</p> </div>



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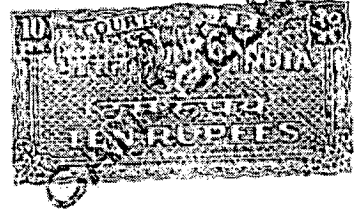
Copy of order

IN THE HIGH COURT OF JUDICATURE AT JABALPOUR

LEADERS  
54047

W.P.NO. 8306/2007(S)

Suresh Chandra Upadhyaya S/o Tikaram Upadhyaya  
Age 66 years, retired Assistant Engineer/S.D.O. P.W.D.  
Sub Division Bhaisdesi, District Betul r/oc/o Rajendra  
Fertilizers, Nagaich- Pada, Atroli, District Aligarh U.P.



Petitioner

VERSUS

1. State of M.P. through the Secretary,  
Govt. of M.P. P.W.D. Vallabh Bhavan, Bhopal.
2. The Superintendent Engineer (Admn)  
O/O Chief Engineer, P.W.D. M.P Bhopal.
3. The Accountant General of M.P. (Accounts & Pension-I)  
Branch office at 53, Arera Hills, Bhopal.



RESPONDENTS

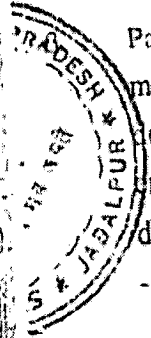
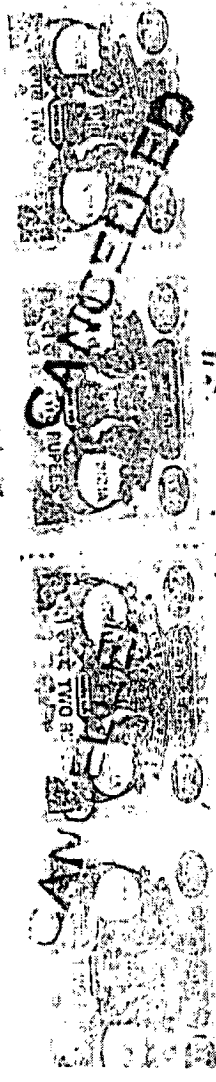
WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

- |                               |   |           |
|-------------------------------|---|-----------|
| 1. Particulars of Petitioner  | - | As above. |
| 2. Particulars of Respondents | - | As above  |

Particulars of the impugned order against which this Petition has been made- This petion has been preferred against arbitrary and illegal deduction of amount of Rs. 51,320/- from the balance of leave encashment amount without consent of Petitioner in absence of any departmental inquiry and delayed payment of G.P.F. worth Rs. 3,05,862/- till date.

**SUBJECT IN BRIEF :** The petitioner retired from service on 30-6-1996 after attaining age of superannuation. However could not receive retiral dues for more that 5 years after retirement. The Petitioner ran from pillar to post for payment of all legitimate claims including that of G.P.F. and leave ecashment amount. Though some of retiral benefits including that of G.I.S. and family benefit fund have been paid

Contd.....





# HIGH COURT OF MADHYA PRADESH

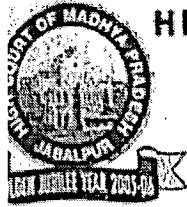
ORDER SHEET

CASE No. .... 200

Vs. ....

DATE OF THE ORDER	ORDER
	<p style="text-align: center;"><u>W.P. No.8308/2007 (S)</u></p> <p><u>27.8.2009</u></p> <p>Shri A.K. Singh, learned counsel for the petitioner.</p> <p>Shri B.N. Mishra, learned Govt. Advocate for respondent State.</p> <p>The petitioner by way of present petition filed under Article 226/227 of the Constitution of India seeks a direction to the respondents to remit the amount of Rs.51,320/- towards Leave Encashment along with prevailing rate of interest and further to direct the respondents to release the interest on balance amount of GPF w.e.f. 1.1.2002 to 1.7.2002. However, at the time of hearing, learned counsel for the petitioner has confined his relief only to a direction to respondents to release the amount towards leave encashment and does not press the second relief.</p> <p>The facts briefly are that the petitioner was in the services of the State Government in Public Works Department and retired on attaining the age of superannuation from the post of Assistant Engineer on 30.6.1996. Before his retirement petitioner was subjected to a disciplinary enquiry which was initiated against him vide Chief Engineer's P.W.D. M.P. Bhopal letter bearing No. Stha/Ka/Sa/04-6/139-95/635 dated 10.4.1996 the said inquiry was completed after his retirement and order dated 15.5.2000 was passed whereby the petitioner was found guilty of charges regarding loss to the government revenue to the tune of Rs.17080/-. Accordingly,</p>





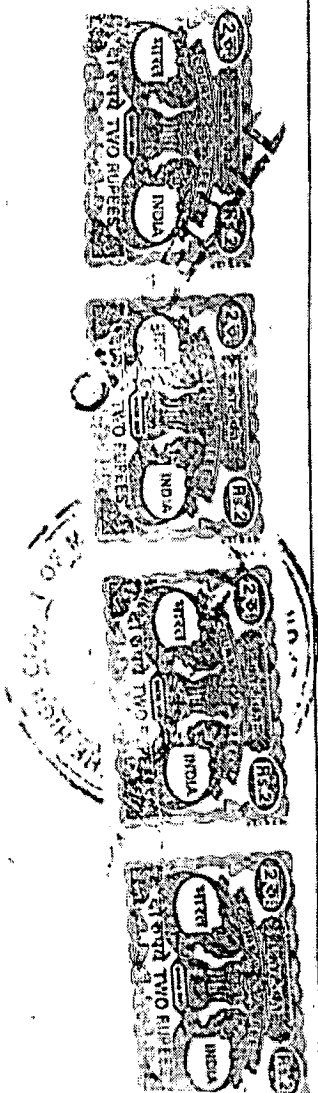
# HIGH COURT OF MADHYA PRADESH

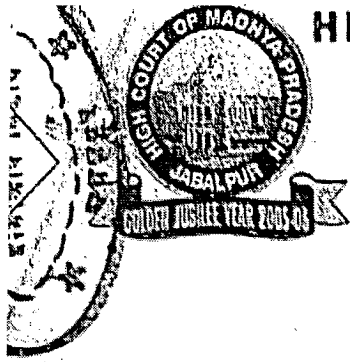
ORDER SHEET

CASE No. .... 200 .....

Vs. ....

DATE OF THE ORDER	ORDER
	<p>order of recovery was passed on 15.5.2000. The said recovery was effected from the leave encashment of Rs.68,400/- of the petitioner which was withheld by respondents because of the pendency of the said disciplinary enquiry. It is the case of the petitioner that after deducting the said amount of Rs.17,000/- it was incumbent upon the respondents to have paid the amount of Rs.51,320/- (Rs.68400-Rs.17080).</p> <p>The respondents on their turn have however to submit that the petitioner is not entitled for amount as claimed by him. It is submitted that the Collector, Betul vide his letter dated 27.9.1996 had informed that the petitioner was found liable of misuse of government revenue and was found liable for amount of Rs.1,90,416/-. The respondent State, however, is at loss to demonstrate from record that the enquiry which the Collector referred to in his letter dated 27.9.1996 was a regular departmental enquiry or an ex parte enquiry held by the respondents. No material is brought on record to show that any procedure was adhered to while fixing the liability of recovery of Rs.1,90,416/- on petitioner vide letter dated 27.9.1996 when the petitioner had already retired from service on attaining the age of superannuation on 30.6.1996. Therefore, no credence can be given to the letter dated 27.9.1996.</p> <p>In view of above, the petition is allowed. The respondents are directed to release the amount of Rs.51,320/- being amount of leave encashment to the petitioner along with</p>



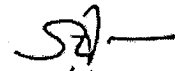
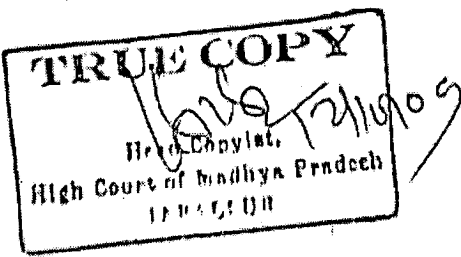


3  
**HIGH COURT OF MADHYA PRADESH**

ORDER SHEET

CASE No. .... 200 .....

..... Vs. ....

DATE OF THE ORDER	ORDER
Vivek Tripathi	<p>interest @ 6 % from 15.5.2000 till its realization within a period of three months from the date of communication of this order. The respondents are, however, at liberty and if the rules so permit, to effect recovery towards Government dues by taking recourse to law.</p> <p>The petition is allowed to the extent above.</p> <p>C.c. as per rules.</p> <p style="text-align: right;"> (SANJAY YADAV) JUDGE</p> <p style="text-align: center;"></p>

②

*Copy of order sheet*

**IN THE HIGH COURT OF MADHYA PRADESH**

**PRINCIPAL SEAT AT JABALPUR, M.P.**

Criminal Appeal No. <sup>2875</sup> /2018

**APPELLANT**

Anish Saxena

S/o Late Shri Narayan Prasad Saxena, aged about 52 years  
Occupation Steno-typist, R/o,  
House No.44/4 South T.T.Ngar,  
District Bhopal (M.P.). (*Hospitlast*)

**VERSUS**

**RESPONDENT**

State of Madhya Pradesh

through Police Station Talaiya  
District Bhopal (M.P.)

**CRIMINAL APPEAL UNDER SECTION 374 (1) OF THE  
CODE OF CRIMINAL PROCEDURE, 1973**

CONVICTION		SENTENCE		
Section	Act	Imprisonment	Fine	Imprisonment In lieu of Fine
409	IPC	R.I. for 7 year	1,40,000/-	R.I. for 4 month
201	IPC	R.I. for 3 year	5000/-	R.I. for 3 month

Both sentences to be run concurrently.

Being aggrieved by the judgment of conviction and sentence dated 30.08.2018 passed by Learned Shri Rakesh Kumar Sharma, 11<sup>th</sup> Additional Session Judge, District-Bhopal (M.P.), passed in Session Trial No.72/2011, whereby the Learned Trial Court has convicted and sentenced the appellant for abovementioned offences, hence the appellant prefer this appeal on following facts and grounds:—

**HIGH COURT OF MADHYA PRADESH**

**Cr.A.No.6815/2018**

**JABALPUR : 22/11/2018**

Shri A.K.Singh, Advocate for the appellant.

Shri M.K.Soni, G.A. for the respondent/State.

Record of the trial court is received.

Heard on admission.

Admit.

Also heard on I.A.No.20101/2018, which is an application for taking additional documents on record.

For the reasons stated in the application, the same is allowed.

Documents are taken on record.

Also heard on I.A.No.15541/2018 filed by the appellant under section 389(1) of Cr.P.C. for suspension of his jail sentence dated 30.8.2018 passed by the XI Addl. Sessions Judge, Bhopal, District Bhopal, in Sessions Trial No.72/2011 convicting the appellant under section 409 and 201 of the I.P.C. and sentenced him to undergo R.I. for 7 years with fine of Rs.1,40,000/- and R.I. for 3 years along with fine of Rs.5,000/- respectively, with default stipulation.

Learned counsel for the appellant submits that appellant is innocent and he is in jail. Appeal is of the year 2018 and, therefore, disposal of the appeal will take considerable time. There is fair chance to succeed. It is further submitted that in this case there is no evidence with regard to entrustment of the property to the appellant. Merely on the basis of receipt found in the receipt book, it has been presumed that the appellant has been entrusted the amount mentioned in the receipt. There is no likelihood of his absconding as during trial he was on bail and never misused the liberty. If the sentence is not suspended, his right to appeal will be futile. On these grounds, learned counsel has prayed for suspension of execution of jail sentence and grant of bail.

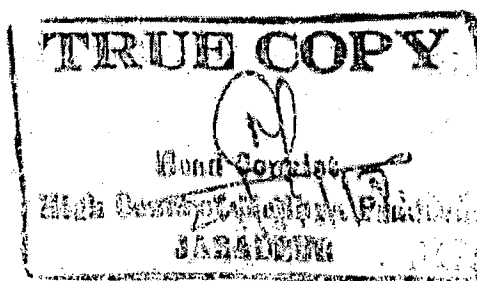
Learned G.A. for the respondent-State has opposed the application and prayed for its rejection.

Considering the aforesaid facts and circumstances of the case and the contention advanced by learned counsel for the parties, this application is allowed. It is ordered that subject to payment of entire fine amount, if not already deposited, the execution of jail sentence of appellant Anish Saxena shall remain suspended during the pendency of this appeal and he be released on bail on his furnishing a personal bond for a sum of **Rs.1,00,000/-** (Rupees One Lac only) with one surety in the like amount to the satisfaction of the trial Court for his appearance before the Registry of this Court on **26.2.2019** & thereafter on all other such subsequent dates as may be fixed by the Registry in this regard.

List the case for final hearing as per its turn.

C.C. as per rules.

(J.P. GUPTA)  
JUDGE



IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
WP No. 24569 of 2022

(ASHOK SINGH KIRAR Vs THE LIFE INSURANCE CORPORATION OF INDIA AND OTHERS)

**Dated : 26-04-2023**

*Shri Awadhesh Kumar Singh - Advocate for the petitioner.*

*Shri V. John - Panel Lawyer for the respondents-State.*

Heard on I.A. No.2895/2023, an application seeking amendment in the record.

Application is allowed.

Let necessary corrections be carried out within three working days.

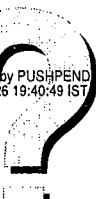
Issue notice to the newly added respondent on payment of process fee by Registered A/D post within seven days, returnable within six weeks.

Shri Awadhesh Kumar Singh submits that he could not appear on the last date i.e. 28.03.2023 because of the call given by the Bar Council and if he would have appeared then he would have faced difficult situation which could have caused harm to his body and person. Therefore, his absence was bonafide and if any action is to be taken, it is to be taken against the members of the State Bar Council of Madhya Pradesh and not against individual Advocates.

He tenders his apology and submits that this will not be repeated in future.

Therefore, contempt proceedings are dropped.

(VIVEK AGARWAL)  
JUDGE



2001 Arb.W.L.J. 101

M.P. ARBITRATION TRIBUNAL : BHOPAL.

(M.J.C. No. 7/2000, decided on 2-2-2001)

Rajendra Kumar Bhalla,

Applicant

Vs.

The Secretary, Narmada Valley Development  
Department and others

Non-applicants

Present : Hon'ble Mr. P.C. Mishra, Vice-Chairman

Hon'ble Mr. T.C. Jain, Member

(1) M.P. Madhyastham Adhikaran Regulations 1985, Regulation 21— Code of Civil Procedure (5 of 1908), Order 9 Rule 9— Restoration application of reference petition dismissed in default— Since as per Regulation 21, the provisions of Rules 1 to 14 of Order 9 CPC are applicable to the proceedings before the Tribunal, application under Order 9 Rule 9 CPC made before the Tribunal is maintainable. (Para 4)

(2) M.P. Madhyastham Adhikaran Regulation, 1985, Regulation 21— Code of Civil Procedure (5 of 1908), Order 9 Rule 9— There is no limitation for making such application to the Tribunal. (Para 4)

(3) M.P. Madhyastham Adhikaran Regulation, 1985, Regulation 21— Code of Civil Procedure (5 of 1908), Order 9 Rule 9— The Advocate who appeared in the main case can also file restoration application on the authority of original vakalatnama. (Para 4)

(4) M.P. Madhyastham Adhikaran Regulation, 1985, Regulation 21— Code of Civil Procedure (5 of 1908), Order 9 Rule 9— A party not himself at fault cannot be made to suffer for the fault on the part of his Advocate— Petitioner neither grossly negligent nor guilty of misconduct— Restoration application should be allowed.

Appearances : Shri A.K. Singh, Advocate for the Applicant

Shri S.C. Godha, Advocate for the Non-applicants.

**ORDER**

As per P.C. Mishra, Vice-Chairman :-

1. This is an application under Order 9 Rule 9 of CPC for restoration of reference Case No. 82/96 which was dismissed in default of appearance of the petitioner on 8-5-2000.

2. This application for restoration of the Ref. Case No. 82/96 was filed on behalf of the applicant/petitioner on 13-7-2000. The main grounds for restoration of the reference case stated in the application are that on the date of hearing i.e., 8-5-2000 applicant/petitioner was ill. He had requested his

①  
A/4

counsel Shri A.K. Singh to attend the case. Applicant's counsel Shri A.K. Singh under the assumption that reference Case No. 82/96 will be taken at later part of the day as it was fixed for final arguments first went to Consumer Forum and while returning from there he met with an accident. Due to accident applicant's counsel Shri A.K. Singh reached the Arbitration Tribunal at about 4.00 p.m. but before that the Reference Case No. 82/96 was dismissed in default of appearance of the petitioner. In support of the statement regarding accident of Shri A.K. Singh he (Shri A.K. Singh) has submitted his own affidavit.

3. The non-applicants by filing written reply of the application has opposed the application on the ground that there was no sufficient cause for non-appearance of the applicant/petitioner and his counsel on the date of hearing. In support of the reply the affidavit of Shri Santosh Kumar Shrivastava has been filed.

4. It is evident from perusal of Regulation 21 of M.P, Madhyastham Adhikaran Regulation, 1985 that provision of Order 9 Rules 1 to 14 of CPC are applicable to the proceedings before this Tribunal. Therefore in this case the provision of Order 9 Rule 9 CPC is applicable. There is no limitation for making of such application for restoration. The Reference Case No. 82/96 was dismissed in default of appearance of the petitioner on 8-5-2000 and the application for restoration on behalf of the applicant was filed on 13-7-2000 by his counsel Shri A.K. Singh who has also signed this application. Shri A.K. Singh, Advocate was appearing on behalf of the applicant/petitioner in main case and therefore he can file restoration application. The very concerned advocate who appeared in the suit on behalf of the plaintiff can file application for restoration of the suit on the authority of the original vakalatnama executed by the plaintiff in this favour [See : *Anant Pandu Porobo Desai Vs. Lalita Poi*, (1978) 2 SCC 681 (1)]. When advocate of the party can file application for restoration, as has been done in this case, then we are not concerned whether the signature of the applicant in the restoration's application are genuine or not.

5. In this case applicant/petitioner instructed his advocate Shri A.K. Singh to attend the case on the date of hearing i.e., 8-5-2000 but applicant's counsel Shri A.K. Singh while coming to attend the case met with an accident and therefore he could not appear before the Tribunal when the Ref. Case No. 82/96 was called on for hearing. Shri Singh has submitted his affidavit regarding his accident which has not been specifically denied or contradicted in counter-affidavit. A party cannot be made to suffer for the fault on the part of his advocate if he himself is not at fault. The party having engaged an advocate expects that his advocate will take such a step as necessary for the parties of proper representation of the party concerned. If such advocate does not take necessary step resulting in the suit being dismissed for non-prosecution the fault is of the advocate and not of the party.

6. In the present case applicant/petitioner has instructed his advocate



to attend the case. The case was fixed for final arguments. Hence the applicant/petitioner was not expected to appear in person on that date. The counsel Shri A.K. Singh could not attend the case when it was called on for hearing and consequently the case was dismissed in default. In view of the above discussion it is obvious that in this case applicant/petitioner was not expected to appear in person as he has instructed his advocate to attend the case and there was sufficient cause for non-appearance of the applicant's advocate Shri A.K. Singh as he met with an accident while going to attend the case of the applicant. In the instant case it cannot be said that applicant/petitioner was grossly negligent and committed mis-conduct hence we are of the view that there was sufficient cause for non-appearance of the petitioner and his counsel on 8-5-2000.

7. The restoration application is allowed. The order dated 8-5-2000 for dismissal of the Ref. Case No. 82/96 in default is set aside on condition that the petitioner shall pay cost of Rs. 500/- to the non-applicant/respondents' counsel within one month from the date of restoration. No order as to cost.

2001 Arb.W.L.J. 103

DELHI HIGH COURT

(Arbitration Application No. 278/99, decided on 11-8-2000)

M/s. Pandit Munshi Ram and Associates (Pvt.) Ltd.

Petitioner

Vs.

Delhi Development Authority and another

Respondents

Present : Hon'ble Mr. Justice K.S. Gupta

(1) Arbitration and Conciliation Act (26 of 1996), Section 11 (6)— Limitation Act (36 of 1963), Art. 137— Limitation for an application under Section 11 (6) of Arbitration and Conciliation Act, 1996 is three years vide Art. 137 of Limitation Act, 1963— Starting point of limitation is the date when final bill was accepted by the contractor— Such date being 2-2-1994, application under Section 11 (6) made in July, 1999 was made much after 3 years, and was barred by limitation. (Paras 5 and 10)

(2) Constitution of India, Art. 141— Law of precedents— Two conflicting decisions of the Supreme Court on a question of law— The one of the larger Bench whether earlier or later in point of time should be followed— In case both the decisions are of equal number of Judges, the later in point of time has to be followed. [(1997) 9 SCC 97 followed instead of AIR 1988 SC 1172]. (Para 10)

Appearances : Shri D. Moitra, Advocate for the Petitioner

Ms. Anasuya Salwan, Advocate for the Respondents.

**IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL****SEAT AT JABALPUR**

W.P.No.11732/2007

**J.K. Mishra Vs. The State of M.P. & others****SYNOPSIS**

Sr. No.	Annexures	Dates	Events	Page No.
1.	P-1	14-08-2007	The copy of demotion order of petitioner from Administrative Officer to Sr. Auditor. In this impugned demotion order one complaint No.148/2004 lodged before Lokayukt Organization, but the copy of complaint had not been served to the petitioner. Only basis of petitioner's reply filed by petitioner dated 13-03-2007 (Annexure P-10) impugned order has been passed. But he is getting pension on the post of U.D.T. This impugned order had passed just seven days before the retirement.	13
2.	P-2	December 1971	The petitioner appointed on the post of Accountant-cum-Storekeeper.	22

			The petitioner's joining on the post of Accountant-cum-Storekeeper. The petitioner's name appeared at Sr. No.99.	
3.	P-3	07-04-1995	The petitioner 1 <sup>st</sup> promotion order on the post of Head Clerk.	24
4.	P-11	19-05-1975	M.P. Medical and Health Services (Class-III Non Gazetted Ministerial) Rule under proviso to Article 309 of the Constitution of India, Schedule-IV, Category-1, Sr. No.02 Accountant-cum-Storekeeper-cum-Clerk to Head Clerk	56
5.	P-5	18.03.1987	Petitioner 2 <sup>nd</sup> promotion order on the post Senior Auditor/Senior Accountant of Head Accountant	26
6.	P-11	19-05-1975	M.P. Medical and Health Services (Class-III Non Gazetted Ministerial) Rule under proviso to Article 309 of the Constitution of India, Schedule-IV, Category-2, Sr. No.02 Sr. Auditor/Sr. Accountant to Head Accountant equallent to the Administrative Officer.	54
7.	P-7	28.06.1999	The petitioner's promotion order on	28

			the post of Administrative Officer equallant to Senior Auditor/Senior Accountant.	
8.	P-9	07-03-2007	In this letter, respondent informed that one complaint had been received to Government. The copy of complaint had not been served to the petitioner and without conducting Departmental Enquiry or not providing Enquiry Report to the petitioner two promotion order had been cancelled and the petitioner had been demoted on the post of Sr. Auditor.	31
9.	P-10	13-03-2007	The petitioner had filed detailed reply of show cause notice in rejoinder Para – 8 reproduced here as under:-  8. That, the petitioner has no knowledge of any enquiry being conducted by the Lokayukt Organization and/or by the Department for the reason that the petitioner was never intimated the	34

			same. Every action has been taken by the Department behind back of the petitioner.	
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After quashing the impugned demotion order dated 14-08-2007 passed by the Principal Secretary, Department of Public Health and Family Welfare Department Bhopal (Annexure P-1), the respondent will direct to provide seniority and consequential benefits like difference of salary and allowances also revised the petitioner's pension within a stipulated period.

JABALPUR

DATED : 22/02/2023

*-sd-*

(A.K.SINGH)  
ADVOCATE FOR PETITIONER

**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH**  
**AT BILASPUR**

Civil Revision No. 104/2017

Babulal Contractors, Contractor & Engineers

**APPLICANT**

**Vs.**

The State of C.G. & 02 others

**RESPONDENTS**

**SYNOPSIS**

S.No.	Date	Annexure	Events
1.		A-7	That, the Dewangan Sub Engineer had given statement before the EOW that Sitaram Agrawal, the then SDO had prepared final payment.
2.		A-12	Sitaram Agrawal has prepared final bill as SDO on 21-03-1988 and after preparing final bill presented before the Executive

			Engineer
3.		P-75	Sitaram Agrawal had prepared proposed recovery Rs. 7,23,141.40 + Rs.14,18,345.00 total recovery Rs. 21,41,486.40 in typed final bill.
4.		A-20	Sitaram Agrawal had prepared final bill with proposed recovery was hand written.
5.		A-13 (Page No.93)	The Chief Engineer, Irrigation had made Committee in this matter.
6.		A-14 (Page No.102)	The Chief Inquiry Officer Mr. Maroo, S.E. had given report that the complaint had not made on the basis of facts.
7.	07-11-1992	P-70	The Chief Engineer meeting question of recovery does not

			arose.
8.	09-05-1991	A-15	H.S. Kushwaha, Kulshreshtha S.E. and Dutta Executive Engineer.
9.	30-08-1991	A-16/P-63	The Executive Engineer, 26 <sup>th</sup> final bill had been superseded and directed to Patel to make final bill.
10.		A-17	Final bill had prepared by Patel without any measurement submitted (Page No.81), Executive Engineer as per the PWD manual 10% entries has to be checked. In this final bill no pass order given by the S.K. Dutta in final bill, hence this final bill did not acceptable to the petitioner also not as per the law.
11.		A-17	Patel final bill, Item No.01-47991 and Item No.04-26644.75 total



			quantity 75,636.41
12.	02-12-1994	A-18	Sitaram Agrawal had prepared 26 <sup>th</sup> final bill on seized document by EOW by hand written at Page No.118, Sr. No.10, MB No.855, P-75
13.		P-210	Executive Engineer had admitted that MB No.855 pass order had made on 02-11-1996 after suspension of Sitaram Agrawal had made 26 <sup>th</sup> final bill.
14.	30-08-2000	A-18	EOW had informed that the case has been closed.
15.		P-75	The petitioner had gone to the Arbitration Tribunal, Bhopal for final bill
16.		P-77	The petitioner had made claim

17.		P-56	Measurement Committee release for Item No.04 quantity of Muroom and Item No.01 is Earth work- 11.5 to 13 Kms. executed quantity 20010 cubic meter, 8.07 to 11.5, 13 kms. to 19.14 executed quantity 78399 total executed quantity 98419 cubic meter.
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RAIPUR

DATED : /09/2023

-Sd-

(A.K. SINGH)

ADVOCATE FOR APPLICANT

**IN THE HIGH COURT OF MADHYA PRADESH**  
**PRINCIPAL SEAT AT JABALPUR**

**Reference Case No. 75/2019**

**Rajendra Kumar Bhalla Vs. State of M.P. and**  
**others**

**SYNOPSIS**

1. That, the learned court below erred to not consider this facts that the appellant/plaintiff has given financial help to respondent/defendant to establish contract business. The amount paid Rs. 24,30,000/-.
2. That, the learned court below erred to not consider modus operandi for appellant/plaintiff to run the contract business of the respondent/defendant.
3. That, the appellant/plaintiff has paid total amount since 27.05.2013 to 22.06.2013. Whereas, during this period no agreement has been executed by the parties.
4. That, the respondent/defendant failed to produce original or documentary evidence regarding agreement before the learned court below on the basis of without document

it can not ascertain that appellant/plaintiff has executed any agreement.

5. That, the respondent/defendant didn't fulfill basic element before the learned court below they are necessary for the agreement.
6. That, the learned court below over look that respondent/defendant has given consent to give 1% liaison fees agreed to be paid to appellant/plaintiff for provided the contract Mr. Junaid, IB Group all the activities for getting the project like preparation of profile of the company, liaison activity, negotiation, travelling, preparation of cost sheet and quotation was done by respondent/defendant agreed to pay fees @ 1%.
7. That, the learned court below erred to not consider that draft of MOU send by appellant/plaintiff which finally could not culminate in to partnership.
8. That, in the case of Chidambaram pillai Vs. Muthammal (1993)-1 Mad. L.W. 466-- "observed that dominate

position to obtain unfair advantage over the other not permissible."

9. That, in the case of Parshottam Vs Rallia Singh A.I.R. 1922 Lah. 269 "observed that recognized both an act or abstention from doing some thing as consideration thus abstaining from enforcing a claim or forbearance to sure constitutes a good consideration for any promise."
10. That, Republic Medico Surgical Co. Bangalore Vs. Union of India A.I.R. 1980 Karn. 168(1979)2 Karn.L.J. 410 held a contract is completed within an offer made is accepted it is the acceptance that gives rise to the cause of action and not merely the making of an offer.

-sd-

**IN THE HIGH COURT OF CHHATTISGARH AT**  
**BILASPUR (C.G.)**

**WRIT PETITION (S) No. 6297 OF 2019**

**PETITIONER :- Sheetal Kumar Patel & others**

**VERSUS**

**RESPONDENT:- The State of C.G. & others**

**SYNOPSIS**

The petitioner are approaching Hon'ble High Court regarding irregularity of pay scale Rs. 3050-4590 which is granting to the group of class-III employees similarly situated employees like : 1. Conductor, 2. Assistant Mechanic first/second, 3. Electrician third, 4. Nosel grinder, 5. Job keeper/ Tools Keeper/Time Keeper except represented Security Guard (petitioners) appointed as a class-III employees.

It is a second round of petition earlier writ petition withdrawn with liberty to file fresh writ petition. Because, petitioners did not avail the remedy exhausted before filing writ petition. The petitioners are requesting to Hon'ble High Court looking to the circumstances of facts the petitioners discriminated by the respondent. It is a violation of Article 14 Constitution of India. Hence, this writ petition

*-sd-*

**IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL**

**SEAT AT JABALPUR**

Cri. Ref. Contempt Petition No.02/2022

**Civil Judge Senior Section**

**Tarana Shriman Shrikrishna Daglia**

**Versus**

**Nilesh Kumar Surana**

**SYNOPSIS**

Sr. No.	Dates	Events
1.	29-06-2019	That, the contemnor Civil Suit No.57-A/2019 had been pending before Ku. Vandana Malviya, Civil Judge, Class-I, Tarana. Later on this suit it was transferred to the Civil Judge Class-II, Tarana Shri Shrikrishna Daglia
2.		That, Shri Ashok Daglia father of Civil Judge Shri Shrikrishna Daglia had come with Narendra Kumar Jain to the contemnor's hotel Surana Palace Restaurant at District Ujjain for lunch. Because, Narendra Kumar Jain had already been knowing the contemnor, due to this reason the contemnor and Mr. Ashok Daglia know each other.

3.	January 2021	That, in this month Ashok Daglia father of the Judge Shrikrishna Daglia had meet the contemnor at Cloth Market at Indore. He had told contemnor that his case is pending before Ku. Vandana Malviya, and he is trying to transfer this case in his son's Court. The contemnor had told that his case is for compliance of registered agreement, due to this reason it does not matter, howsoever the Judge is. The contemnor has full faith in the judicial system.
4.	February 2021	That, in this month this case was transferred from Ku. Vandana Malviya to the Court of Shri Shrikrishna Daglia's Court. Ashok Daglia had meet the contemnor at District Court Indore and told that his case is transferred at his son's Court.
5.		That, Ashok Daglia had told the contemnor that because the price of the land involved in this suit going high, hence you should arrange Rs.5 lacs. The contemnor had told that this case is based on registered agreement and that there is no chance to loose this case also, Raju Bai herself had accepted the execution of this agreement. Ashok Daglia had said that he will help him and directed that he should not call on this phone and inform Narendra Kumar Jain.
6.		That, the contemnor had not arranged Rs. 5 lacs and had ignored this offer, due to this reason, Shri Shrikrishna



		Daglia attitude had been changed against the contemnor.
7.	September 2021 & 25-09-2021	The contemnor had filed I.A. No.01 application under Order 7 Rule 14 (3) of the Code of Civil Procedure before the institution of suit. Because that the document was relevant for fair disposal of the suit, it has been rejected by Shri Shrikrishna Daglia, Judge on 29-09-2021.
8.		That, the contemnor had also filed I.A. No.02 under Order 14 Rule 5 of the Code of Civil Procedure and I.A. No.03 under Order 7 Rule 14 (3) of the Code of Civil Procedure have also been dismissed.
9.	19-04-2022	The contemnor had filed Writ Petition under Article 227 of the Constitution of India, M.P. No.2671/2021, Nilesh Kumar Surana Vs. Smt. Raju Bai and another. The Hon'ble High Court Bench at Indore had cancelled the order passed by Shri Shrikrishna Daglia and had remanded back to the Learned Lower Court.
10.		That, the contemnor had filed for the transfer application on the presumption that he would not get the justice. This application was made in good faith and in accordance with the law under Section 24 of the Code of Civil Procedure, the averments made in this application will not come under the purview of Contempt of Court Act
11.	13-01-2022	That, the Learned Court below Shri Shrikrishna Daglia