

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

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 27th OF MARCH, 2023

SECOND APPEAL No. 1928 of 2022

BETWEEN:-

1. **SMT. PREMWATI VISHWAKARMA W/O LATE
RAM BHAROSA VISHWAKARMA, AGED
ABOUT 69 YEARS, R/O VILLAGE SHAHPUR
(INDRAJEET SINGH) TAHSIL MAUGANJ
DISTRICT REWA (MADHYA PRADESH)**

2. **RAM SAJEEWAN VISHWAKARMA S/O LATE
RAM BHAROSA VISHWAKARMA, AGED
ABOUT 47 YEARS, R/O VILLAGE SHAHPUR
(INDRAJEET SINGH) TAHSIL MAUGANJ
DISTRICT REWA (MADHYA PRADESH)**

3. **RAM KRIPAL VISHWAKARMA S/O LATE RAM
BHAROSA VISHWAKARMA, AGED ABOUT 42
YEARS, R/O VILLAGE SHAHPUR (INDRAJEET
SINGH) TAHSIL MAUGANJ DISTRICT REWA
(MADHYA PRADESH)**

4. **RAMESH KUMAR VISHWAKARMA S/O LATE
RAM BHAROSA VISHWAKARMA R/O VILLAGE
SHAHPUR (INDRAJEET SINGH) TAHSIL
MAUGANJ DISTRICT REWA (MADHYA
PRADESH)**

5. **KUNJ BIHARI VISHWAKARMA S/O LATE RAM
BHAROSA VISHWAKARMA R/O VILLAGE
SHAHPUR (INDRAJEET SINGH) TAHSIL
MAUGANJ DISTRICT REWA (MADHYA
PRADESH)**

.....APPELLANT

(NONE FOR THE APPELLANTS)

AND

1. **RAMADHAR VISHWAKARMA S/O LATE RAM BHAROSA VISHWAKARMA, AGED ABOUT 65 YEARS, R/O VILLAGE SHAHPUR (INDRAJEET SINGH) TAHSIL MAUGANJ DISTRICT REWA (MADHYA PRADESH)**

2. **RAM NIHORE VISHWAKARMA S/O LATE RAM BHAROSA VISHWAKARMA, AGED ABOUT 54 YEARS, R/O VILLAGE SHAHPUR (INDRAJEET SINGH) TAHSIL MAUGANJ DISTRICT REWA (MADHYA PRADESH)**

3. **SMT. KAUSHILYA VISHWAKARMA W/O LATE CHHAKAUDI VISHWAKARMA, AGED ABOUT 69 YEARS, R/O VILLAGE SHAHPUR (INDRAJEET SINGH) TAHSIL MAUGANJ DISTRICT REWA (MADHYA PRADESH)**

4. **KUSUMKALI D/O LATE CHHAKAUDI VISHWAKARMA, AGED ABOUT 40 YEARS, R/O VILLAGE SHAHPUR (INDRAJEET SINGH) TAHSIL MAUGANJ DISTRICT REWA (MADHYA PRADESH)**

5. **STATE OF MADHYA PRADESH THROUGH COLLECTOR REWA DISTRICT REWA M.P. (MADHYA PRADESH)**

.....RESPONDENTS

(NONE FOR RESPONDENTS NO.1 to 4, SMT. SHANTI TIWARI – PANEL LAWYER FOR RESPONDENT NO.5/STATE)

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This appeal coming on for admission this day, the court passed the following:

ORDER

1. On a call given by the State Bar Council of M.P. the lawyers are abstaining from work in spite of letter dated 22.3.2023, issued by the Bar Council of India thereby requesting the State Bar Council of M.P. to follow the various dictums passed by the Supreme Court from time to time in respect of strike. Even then none appeared for the parties.
2. A Division Bench of this Court by order dated 24.3.2023 passed in **In Reference (Suo Moto) Vs. Chairman, State Bar Council of M.P.,** (W.P.No.7295/2023) has issued following directions :-

“(i) All the advocates throughout the State of Madhya Pradesh are hereby directed to attend to their court work forthwith. They shall represent their clients in the respective cases before the respective courts forthwith;

(ii) If any lawyer deliberately avoids to attend the court, it shall be presumed that there is disobedience of this order and he will be faced with serious consequences including initiation of proceedings for contempt of court under the Contempt of Courts Act;

(iii) If any lawyer prevents any other lawyer from attending the court work, the same would be considered as disobedience of these directions and he will be faced with serious consequences including initiation of proceedings under the Contempt of Courts Act;

(iv) Each of the judicial officers are directed to submit a report as to which lawyer has deliberately abstained from attending the court;

(v) The judicial officers shall also mention the names of advocates who have prevented other advocates from entering the court premises or from conducting their cases in the court;

(vi) Such advocates shall be dealt with seriously

which may even include proceedings under the Contempt of Courts Act as well as being debarred from practice.

3. In spite of that Lawyers are abstaining from court work.
4. Under these circumstances, this Court has no other option but to issue notice to counsel for the appellants as well as to counsel for the respondent to show cause as to why contempt proceedings be not initiated against them for violating the order dated 24.03.2023 passed by Division Bench of this Court in the case of **Chairman, State Bar Council of M.P and others** (supra).
5. Office is directed to register separate proceedings for the same.
6. This appeal is pending since 2022 and has not been admitted so far.
7. As none appears for the appellants, therefore, the case is **dismissed** for want of prosecution under Order 41 Rule 17 read with Order 17 Rule 2 C.P.C.

(G.S. AHLUWALIA)
JUDGE

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