

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
ACTING CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 23rd OF JUNE, 2025

WRIT APPEAL No. 1385 of 2025

ICAR AND OTHERS

Versus

DR. ASHISH BOBADE AND OTHERS

WITH

WRIT APPEAL No. 1351 of 2025

ICAR AND OTHERS

Versus

DR. KESHAV PRASAD DWIVEDI AND OTHERS

AND

WRIT APPEAL No. 1382 of 2025

*INDIAN COUNCIL OF AGRICULTURE RESEARCH (ICAR) AND
OTHERS*

Versus

DR. ANIL KUMAR SINGH AND OTHERS

WRIT APPEAL No. 1383 of 2025

*INDIAN COUNCIL OF AGRICULTURE RESEARCH (ICAR) AND
OTHERS*

Versus

PRAVEEN KUMAR DHASKE AND OTHERS

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Appearance:

*Shri Praveen Swaroop - Advocate (appeared through Video Conferencing) and
Shri Ranveer Singh Parihar - Advocate for appellants.*

Shri R.N. Singh - Senior Advocate (appeared through Video Conferencing) and

Shri Arpan J. Pawar - Senior Advocate with Shri Akshat Arjaria - Advocate for respondents.

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ORDER

Per. Sanjeev Sachdeva, Acting Chief Justice

Appellant impugns order dated 03.04.2025 passed in W.P. No.18342/2024 whereby an application for amendment has been allowed. Appellant also impugns order dated 21.04.2025 whereby the learned Single Judge has clarified that the interim protection granted, though not specifically extended, would continue to operate till the interim protection is modified or withdrawn.

2. Learned senior counsel for the appellant submits that prior to the amendment application being allowed, no notice was issued to the appellant. Learned senior counsel submits that notice was imperative in view of the fact that by way of an amendment, the respondents sought to impugn an order dated 20.08.2024 which was passed superseding an earlier order dated 07.05.2024 which was impugned in the petition. He contends that an application seeking dismissal of the writ petition being WP No.4958/2025 as infructuous was filed on 20.03.2025 on the ground that since the order impugned in the petition being order dated 07.05.2024 had been withdrawn, the writ petition had become infructuous. Learned senior counsel submits that in view of above, it was necessary for the Court to give an opportunity to the appellant to file a reply before deciding the application.

3. Learned senior counsel for the respondents concedes that no notice was issued to the appellant before the amendment application was allowed. They, however, contend that since the amendment was formal, no notice was

required to be issued.

4. We are of the view that though formal amendments may be permitted by the Court, however, where there is a challenge to an amendment application, an opportunity of filing a reply and opposing the application on merits is required to be granted to a party.

5. Accordingly, the impugned order dated 03.04.2025 is set aside. The amendment application is restored on the file of learned Single Judge. Appellant shall file a reply to the amendment application within a period of two weeks from today. Thereafter, learned Single Judge shall reconsider the application and decide the same on merits without being influenced by anything stated by us in this order.

6. Insofar as the order dated 21.04.2025 is concerned, we are informed that by an order dated 26.05.2025 in *SLP(C) No.14181-14184 of 2025* titled *S.R.K. Singh vs. Anil Kumar and others*, the Supreme Court has stayed the proceedings of contempt initiated by the respondents against the original order dated 22.08.2024. It is, however, agreed that without prejudice to the rights and contentions of the parties in the contempt proceedings as well as the special leave petition emanating thereof pending before the Supreme Court, the interim order dated 22.08.2024 may continue till it is modified or varied by the learned Single Judge in accordance with law.

7. In view of the above, the appeals are disposed of in the above terms. It is clarified that this Court has neither considered nor commented on the merits of the contentions of either parties. All rights and contentions of the parties are reserved.

8. Registry has raised an objection with regard to maintainability of the intra court appeal, that the appellant has impugned an interim order. Since the the appeals have been disposed of in the above terms, the question of law raised is left open.

(SANJEEV SACHDEVA)
ACTING CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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