

**HIGH COURT OF MADHYA PRADESH : JABALPUR  
LARGER BENCH - II (After Full Bench-I)**

**Daily Cause List dated : 16-12-2024**

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI  
& HON'BLE SHRI JUSTICE VIVEK JAIN**

**Court Hall No.: 1**

**NOTE:-** All the Advocates are requested to submit a list of cases, in which compromise/amicable settlement is possible in the forthcoming permanent & continuous Lok Adalat. The list of cases may be submitted in the office of M.P. High Court Legal Services Committee, Jabalpur or may also be sent through email mphclsc@gmail.com,sechclscjbp@mp.gov.in at the earliest.

In compliance of Court order dated 28.05.2024 passed in CRA 10947/2019 (Ram Singh Vs State of MP), it is to inform that Counsels cannot appear in Criminal Appeals on the basis of memo of appearance and they will have to necessarily file Vakalatnama. They may do so during the vacation, failing which, after vacation Hon'ble Court may not entertain appearance on the memo of appearance

**MOTION HEARING  
[DIRECTION MATTERS]**

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	WP 26802/2018 (PIL)	ANAND  Versus THE STATE OF MADHYA PRADESH & Ors.	SACHIN PARMAR SUBODH CHOUDHARY, ANJALI JAMKHEDEKAR, DR. ANUVAD SHRIVASTAVA[P-1], AJAY CHATURVEDI[P-1], SURYAKANT SAHU[P-1][P-1], SACHIN PARMAR[P-1]  ADVOCATE GENERAL RAJENDRA KUMAR NAMDEO[INT], MANOJ KUMAR SHRIVASTAVA[INT], PIYUSH JAIN[INT], AKASH MAHAJAN[INT], RAVI SAGRE[INT], JAGAT KUMAR JAIN[INT], RAJESH MAINDIRETTA[INT], ASHISH KUMAR DIXIT[INT], GOPAL JAISWAL[INT], UDIT MAINDIRETTA[INT], SHASHANK SHRIVASTAVA[INT], DHARMENDRA KEHARWAR[INT], SAPNA MISHRA[INT], DEEPALI TIWARI[INT], RAJVEERSINGH HORA[INT], MUDIT MAHESHWARI[INT], KANISHKA GUPTA[INT], SUMIT SINGH BAGRI[INT], GURNEET CHAWLA[INT], SHREYANSH JAIN[INT], ANKIT PREMCHANDANI[INT], SHAILESH TIWARI[INT], AKSHAY SAPRE[INT], SADHNA PATHAK[R-1], AKASH VIJAYVARGIYA[R-2][R-3][R-3][R-4][R-4][R-5], HIMANSHU JOSHI[R-5], USHA CHOUHAN[R-5], RAKESH SHUKLA[R-5], SURBHI BAHAL[R-5], ADVOCATE GENERAL[R-2], SAHIL BILLA[INT], ANURADHA VASHIST[INT], SITENDRA KUMAR VISHWAKARMA[INT], ABHISHEK SINGH[INT], ADITYA KHANDEKAR[INT], TABREZ SHEIKH[INT], SHAILENDRA MISHRA[INT], AMIT KUMAR SONI[INT]  PUBLIC INTEREST LITIGATION-16100 - Others-16111 - Others-16111 Relief - TO QUASH THE IMPUGED NOTIFICATION DTD. 24-09-2015 (P-3) {FIXED DATE (COURT ORDER) COVID-19} <b>IN VIEW OF HON. COURT ORDER DT. 04-12-2024, FOR CONSIDERATION ON THE EFFECT OF AND VALIDITY OF NOTIFICATION DATED 24.09.2015, WHEREBY THE GOVERNMENT OF MADHYA PRADESH IN EXERCISE OF POWERS CONFERRED BY CLAUSE (B) OF PROVISIO TO RULE 3 OF THE M.P. TRANSIT (FOREST PRODUCE) RULES, 2000 AND IN SUPERSESION OF FOREST DEPARTMENT NOTIFICATION DATED 16.05.2005, 11.04.2007 AND 07.05.2012, HAS ISSUED NOTIFICATION DATED 24.09.2015. IN THE EARLIER NOTIFICATIONS ONLY 9 SPECIES OF TREES WERE MENTIONED. THEREAFTER IN THE NOTIFICATION DATED 24.09.2015, 53 SPECIES OF TREES HAVE BEEN INCLUDED INCLUDING BER, MULBERRY, KATAHAL, AMROOD, NIMBU, SANTRA, MUSSAMBI, JAMUN, MANGO, NEEM, PIPAL. REGULAR PUBLIC INTEREST LITIGATION PETITION.</b>
1.1	<b>Linked</b> WP 13864/2019 (PIL)	VIVEK KUMAR SHARMA  Versus THE STATE OF MADHYA PRADESH & Ors.	ANSHUMAN SINGH SHIVNARAYAN VERMA, ANUJ SHRIVASTAVA, PRANJAL DIWAKER  ADVOCATE GENERAL KAUSHALENDRA NATH PETHIA[R-5], BRAJESH KUMAR MISHRA[R-5], MUKHTAR AHMAD[INT], SHREEKANT JAIN[INT], ANURADHA PATEL[INT], ADVOCATE GENERAL[R-1][AG]  PUBLIC INTEREST LITIGATION-16100 - Environmental pollution,disturbance of ecological balance,drugs,food adultration,forest etc-16108 - Environmental pollution,disturbance of ecological balance,drugs,food adultration,forest etc-16108 Relief - to set aside THE ORDER DT.24-09-2015, 26-09-2015 (ANN.P-3,4). {FIXED DATE (COURT ORDER) COVID-19} <b>IN VIEW OF HON. COURT ORDER DT. 04-12-2024, FOR CONSIDERATION ON THE EFFECT OF AND VALIDITY OF NOTIFICATION DATED 24.09.2015, WHEREBY THE GOVERNMENT OF MADHYA PRADESH IN EXERCISE OF POWERS CONFERRED BY CLAUSE (B) OF PROVISIO TO RULE 3 OF THE M.P. TRANSIT (FOREST PRODUCE) RULES, 2000 AND IN SUPERSESION OF FOREST DEPARTMENT NOTIFICATION DATED 16.05.2005, 11.04.2007 AND 07.05.2012, HAS ISSUED</b>

**Daily Cause List dated : 16-12-2024**

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI & HON'BLE SHRI JUSTICE VIVEK JAIN**

**NOTIFICATION DATED 24.09.2015. IN THE EARLIER NOTIFICATIONS ONLY 9 SPECIES OF TREES WERE MENTIONED. THEREAFTER IN THE NOTIFICATION DATED 24.09.2015, 53 SPECIES OF TREES HAVE BEEN INCLUDED INCLUDING BER, MULBERRY, KATAHAL, AMROOD, NIMBU, SANTRA, MUSSAMBI, JAMUN, MANGO, NEEM, PIPAL.  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION**

2	<b>WA 00990/2021 (439)</b>	THE STATE OF MADHYA PRADESH Versus JAIPAL SINGH	ADVOCATE GENERAL[P-1], ADITI SHRIVASTAVA[AMICUS CURIAE], RAMAN CHOUBEY[AMICUS CURIAE]  RAJENDRA SINGH YADAV
	<b>Transfer From Gwalior Bench</b>		CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - SECTION 439 CIVIL PROCEDURE & LIMITATION-11300 - Code of Civil Procedure, 1908-11301 - Code of Civil Procedure, 1908-11301 Relief - TO SET ASIDE THE ORDER DATED 14-09-2021 PASSED IN MCRC NO. 42352/2021. {FIXED DATE (COURT ORDER) COVID-19} <b>FOR ORDERS ON FOLLOWING QUESTION OF LAW :- WHETHER, THE DIVISION BENCH IN EXERCISE OF POWERS UNDER SECTION 2 OF THE ACT OF 2005 MAY ENTERTAIN THE APPEAL ARISING FROM AN ORDER OTHER THAN THE ORDER PASSED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA ?.</b> WRIT APPEAL U/S 2(1) OF M.P. UCHHA NYAYALAYA(KHAND NYAYAPITH KO APPEAL ADHINIYAM, 2005
3	<b>WP 03499/2022</b>	ANAND CHOUDHARY Versus THE STATE OF MADHYA PRADESH & Ors.	DR. RASHMI PATHAK DR. RASHMI PATHAK[P-1], PRANAY PATHAK  ADVOCATE GENERAL SANJIV KUMAR MISHRA[R-5] (Caveat), SANJAY RUSIA[CAVEAT], ARVIND KUMAR GAWLE[CAVEAT], SATISH KUMAR DIXIT[CAVEAT], ADVOCATE GENERAL[R-1][AG][R-2][AG][R-3][AG][R-4][AG]
			LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - QUASH THE ORDER DT.12/01/2022(ANN.A-1) AND ORDER DT.13/12/2021(ANN.A-2) {FIXED DATE (COURT ORDER) COVID-19} <b>"AS TO WHETHER, TEHSILDAR CAN REJECT THE APPLICATION OF MUTATION, AT THRESHOLD, ON THE GROUND THAT IT IS BASED UPON 'WILL' TAKING AID FROM THE DECISIONS PREVIOUSLY RENDERED WITHOUT CONSIDERING THE PROVISIONS OF RULES VIZ. MADHYA PRADESH BHU-RAJSAV SANHITA (BHU-ABHILEKHON MEIN NAMANTARAN) NIYAM, 2018 FRAMED BY THE STATE GOVERNMENT VIS-A-VIS MUTATION." , FOR VACATING STAY ON IA 4552/2022 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION</b>
3.1	<b>Linked WP 07492/2022</b>	NITA BHATTACHARYA Versus THE STATE OF MADHYA PRADESH & Ors.	DR. RASHMI PATHAK  ADVOCATE GENERAL SANJIV KUMAR MISHRA[R-5], SHEIKH ATIKUR RAHMAN[R-5], ARVIND KUMAR GAWLE[R-5], DEVENDRA CHOUDHARY[R-5]
			LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - TO QUASH THE IMPUGNED ORDER DATED 12/01/2022 (ANNEX.A/2) AND 13/12/2021 (ANNEX.A/3) {FIXED DATE (COURT ORDER) COVID-19} <b>"AS TO WHETHER, TEHSILDAR CAN REJECT THE APPLICATION OF MUTATION, AT THRESHOLD, ON THE GROUND THAT IT IS BASED UPON 'WILL' TAKING AID FROM THE DECISIONS PREVIOUSLY RENDERED WITHOUT CONSIDERING THE PROVISIONS OF RULES VIZ. MADHYA PRADESH BHU- RAJSAV SANHITA (BHU-ABHILEKHON MEIN NAMANTARAN) NIYAM, 2018 FRAMED BY THE STATE GOVERNMENT VIS-A-VIS MUTATION."</b> 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
3.2	<b>Linked WA 00667/2024</b>	VIJAY SINGH YADAV & Ors. Versus SMT KRISHNA YADAV & Ors.	VIPIN YADAV RAUNAK YADAV, AADIL BARI, SANSKAR JAIN  DEVESH SINGH[R-1], VAKEEL AHMED ANSARI[R-1], INDRA KUMAR PATEL[R-1], VINOD KUMAR NAPIT[R-1], RAVENDRA KUMAR TIWARI[R-1][R-2][R-2][R-2][R-2][R-3][R-3][R-3][R-3][R-3]  WP 02301/2024- VIPIN YADAV,RAUNAK YADAV,AADIL BARI,OM YADAV,SANSKAR JAIN
			LAND REVENUE , TENANCY & NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - TO SET ASIDE THE JUDGMENT DATED 17.02.2024 PASSED IN WP NO. 2301/2024 {IA} <b>IA NO.5560/202 APPLICATION FOR STAY AND FINAL HEARING ( NOTE :- RESPONDENTS REPRESENTED ) AND IA NO. 5560/2024 - STAY APPLICATION [ORDER DT. 07.02.2024] [ADMITTED ON : 15-04-2024]</b> WRIT APPEAL UNDER SECTION 2 (A) OF MP UCHCHA NYAYALAY KE KHAND PEETH KO APPEAL,

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& HON'BLE SHRI JUSTICE VIVEK JAIN**

ADHINIYAM, 2005.

3.3	<a href="#">Linked WA 00680/2024</a>	JALANDHAR PURI GOSWAMI Versus PARMESHWAR GIRI <b>&amp; Ors.</b>	HIMANSHU MISHRA BRAHMMOORTY TIWARI, RUCHIR JAIN, GULAB SINGH ADVOCATE GENERAL[R-4][R-5][R-6], SAKET ANAND[R-1][R-3]
<p>LAND REVENUE , TENANCY &amp; NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - TO SET ASIDE THE IMPUGNED ORDER DT. 21/12/2023 (ANN.A/1) {Regular Case} <b>FOR ORDERS ON THE QUESTION OF MAINTAINABILITY AS AGAINST THE ORDER PASSED IN MP U/A 227 OF CONSTITUTION OF INDIA. WRIT APPEAL NOT MAINTAINABLE (NOTE-RESPONDENTS NO.1 TO 3 HAMDAST NOTICE SERVED REPORT WITH AFFIDAVIT FILED) (NOTE-RESPONDENTS NO.1 AND 3 REPRESENTED) APPEAL UNDER SECTION 2(1) OF MADHYA PRADESH UCHCHA NYAYALAYA KHANDPITH KO APPEALADHINIYAM 2005</b></p>			
3.4	<a href="#">Linked WA 01561/2024</a>	MANNU <b>&amp; Anr.</b> Versus THE STATE OF MADHYA PRADESH <b>&amp; Ors.</b>	DEVENDRA KUMAR TRIPATHI DHARMENDRA PATEL, SHAKTI PRATAP SINGH BAGHEL, MUNISHWAR PRASAD CHATURVEDI ADVOCATE GENERAL[R-1][R-2][R-3], R. K. SANGHI[R-4][ON ADVANCE COPY][R-5][ON ADVANCE COPY][R-6][ON ADVANCE COPY][R-7][ON ADVANCE COPY][R-8][ON ADVANCE COPY][R-9][ON ADVANCE COPY], DEVENDRA KUMAR TRIPATHI[R-10][ON ADVANCE COPY][R-11][ON ADVANCE COPY][R-12][ON ADVANCE COPY] WP 16413/2024- R. K. SANGHI,MOHAMMAD FIROZ,RAHUL CHOUDHARY,PANKAJ BATHRE,RAGHAV SANGHI
<p>LAND REVENUE , TENANCY &amp; NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 02.07.2024 PASSED IN W.P. NO. 16413/2024 {Regular Case} <b>FOR ADMISSION AND IA NO.10482/2024-STAY APPLICATION AND IA NO.13041/2024-ADDING PARTIES ( NOTE :- DEFAULT - IN COMPLIANCE OF HON'BLE COURT ORDER DATED 07-08-2024 COUNSEL OF APPELLANT NOT PAID PROCESS FEES FOR RESPONDENTS BY RAD MODE, ALONG WITH AN APPLICATION FOR CONDONATION OF DELAY REGARDING LATE SUBMISSION OF PROCESS FEES. ) WRIT APPEAL U/S 2(1) OF M.P.UCHCH NYAYALAYA (KHAND NYAYAPEETH KO APPEAL) ADHINIYAM 2005</b></p>			
4	<a href="#">MP 04838/2024</a>	MAHENDRA SHIVHARE Versus MUNNI BAI <b>&amp; Ors.</b>	PRAMENDRA SINGH THAKUR DISHA SINGH, ADITYA SINGH RAJPUT, ANUPAM SONI
<p>LAND REVENUE , TENANCY &amp; NAZUL-14600 - M.P. Land Revenue Code 1959-14620 - M.P. Land Revenue Code 1959-14620 Relief - QUASH THE IMPUGNED ORDER DATED 29/05/2023, 26/04/2024 {FIXED DATE (COURT ORDER) COVID-19} <b>FOR ORDERS TO DECIDE THE FOLLOWING QUESTIONS- A. WHETHER IN VIEW OF SECTION 31 OF MPLR CODE READWITH THE NATURE OF JURISDICTION CONFERRED IN TERMS OF SECTION 257 THEREOF, REVENUE COURTS ARE "COURTS" AND NOT MERE QUASI JUDICIAL AUTHORITIES IN VIEW OF DIVISION BENCH JUDGMENT IN CASE OF DANGALIA VS. DESHRAJ, REPORTED IN 1973 MPLJ 796 AND WHETHER THE SUBSEQUENT DIVISION BENCH TAKING A DIFFERENT VIEW IN BABULAL VS. RAJVEER (RP 869/2021) HAS LAID DOWN THE CORRECT LAW ? B. IF REVENUE COURTS ARE COURTS, THEN WHETHER DESPITE NOT BEING A ADMINISTRATIVELY SUBORDINATE COURT TO THE HIGH COURT UNDER ARTICLE 235, THE REVENUE COURTS ARE JUDICIALLY SUBORDINATE TO THE HIGH COURT IN VIEW OF LAW LAID DOWN BY THE SUPREME COURT IN CASE OF S.K. SARKAR, MEMBER, BOARD OF REVENUE, LUCKNOW VS. VINAY CHANDRA REPORTED IN 1981 (1) SCC 436 ? C. IF YES, THEN WHETHER A PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA WILL LIE AGAINST THE ORDERS PASSED BY THE REVENUE COURTS IF IN VIEW OF THE 5 JUDGE SPECIAL BENCH JUDGEMENT OF THIS COURT IN THE CASE MANOJ KUMAR VS. BOARD OF REVENUE, REPORTED IN 2008 (1) MPLJ 152, LOOKING TO THE NATURE OF RELIEF SOUGHT FROM THE HIGH COURT, SUPERVISORY JURISDICTION OF THE HIGH COURT IS OTHERWISE INVOCABLE ? (IN THIS REGARD, KIND ATTEN. IS INVITED ON ADMINISTRATIVE ORDER DTD.04-12-2024). 01-ARTICLE 227 OF THE CONSTITUTION</b></p>			
5	<a href="#">WP 11356/2024</a>	RAMLAL JHARIYA Versus	JAYANT NEEKHRA SANJEEV NEEKHRA

**Daily Cause List dated : 16-12-2024**

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI  
& HON'BLE SHRI JUSTICE VIVEK JAIN**

THE STATE OF MADHYA PRADESH    ADVOCATE GENERAL

**& Ors.**

CUSTOM & EXCISE-12200 - M.P Excise Act, 1915-12220 - M.P Excise Act, 1915-12220

Relief - TO QUASH THE ORDER DATED 14.08.2023 (ANNEXURE P/1)

{FIXED DATE (COURT ORDER) COVID-19} **15. IN THE VIEW OF THIS COURT, FOLLOWING QUESTIONS EMERGE FOR DECISION:- (A) WHETHER, ANY ARTICLES OR VEHICLES CAN BE CONFISCATED UNDER SECTION 47(A) OF THE M.P. EXCISE ACT, 1915 DURING THE PENDENCY OF CRIMINAL TRIAL INITIATED AGAINST THE OFFENDERS BEFORE THE JUDICIAL COURTS? (B) WHETHER, THE DICTUM LAID DOWN BY THE APEX COURT IN THE MATTER OF MADHUKAR RAO VS. STATE OF M.P., (2008) 14 SCC 624 IS APPLICABLE TO THE CASES REGISTERED UNDER SECTION 34(2) AND THE CONFISCATION PROCEEDINGS UNDER SECTION 47(A) OF THE ACT, 1915? (C) WHETHER, THE CONFISCATION PROCEEDINGS CAN GO ON PARALLEL TO THE CRIMINAL PROCEEDINGS AND COLLECTOR CAN PASS THE ORDER OF CONFISCATION IRRESPECTIVE TO THE PENDENCY OF CRIMINAL CASE? (D) WHETHER, THE COORDINATE BENCHES WERE JUSTIFIED IN DELIVERING THE CONFLICTING VIEWS WITHOUT REFERRING THE MATTER UNDER CHAPTER IV RULE 8(3) OF THE HIGH COURT RULES, 2008 AND THE CONFLICTING VIEW IN THE ABSENCE OF ANY REFERENCE CAN BE CONSIDERED AS BINDING PRECEDENT, IN VIEW OF THE DOCTRINE OF STARE DECISIS? (E) WHETHER, WRIT PETITION CAN BE ENTERTAINED AGAINST THE ORDER OF CONFISCATION, IN VIEW OF JUDGMENT OF APEX COURT IN THE MATTER OF WHIRLPOOL CORPORATION VS. REGISTRAR OF TRADE MARKS, (1998) 8 SCC 1 AND JUDGMENT OF DIVISION BENCH OF THIS COURT IN THE MATTER OF ALOK KUMAR CHOUBEY VS. STATE OF M.P., (2021) 1 MPLJ 348, ON THE GROUND THAT COLLECTOR HAD NO AUTHORITY TO PASS ANY ORDER OF CONFISCATION DURING THE PENDENCY OF CRIMINAL CASE?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

5.1 **Linked**  
**WP**  
**18492/2024**

SANJAY YADAV

SHIVAM MISHRA ABHINAV SHRIVASTAVA, PRIYANSHU DUBEY, CHANDRA PRAKASH KUSHWAHA

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL ADVOCATE GENERAL[R-1][AG][R-3][AG]

**& Ors.**

CUSTOM & EXCISE-12200 - M.P Excise Act, 1915-12220 - M.P Excise Act, 1915-12220

When one party is court or Judicial Officer - DISTRICT COURT - DISTRICT COURT

Relief - SET ASIDE THE IMPUGNED ORDER DATED 05/08/2022, 18/096/2023, 23/03/2024

{Regular Case} **FOR NON COMPLIANCE OF HON'BLE C.O.DT- 24/07/2024, COUNSEL FOR RESPONDENT AMENDED MEMO OF PARTIES NOT FILED TILL YET. RESPONDENT NO.02 HAS BEEN DELETED BY HON.C.O. DT 24/07/2024 WHICH WAS JUDICIAL PARTY.THEREFORE THIS CASE IS TO BE LISTED BEFORE SINGLE BENCH.**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

5.2 **Linked**  
**MCRC**  
**35204/2024**

SATISH JAISWAL

RAHUL KUMAR TRIPATHI SUNIL KUMAR MISHRA

Versus

THE STATE OF MADHYA PRADESH    ADVOCATE GENERAL

Excise Act - S. 34(2), BHARTIYA NAGRIK SURAKSHA SANHITA - S. 528,

CRIMINAL LAW & PROCEDURE-12100 - THE BHARATIYA NAGARIK SURAKSHA SANHITA 2023-12107 - SECTION 528.

Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 30.07.2024

{Regular Case} **FOR ADMISSION**

5.3 **Linked**  
**MCRC**  
**37906/2024**

DHARMENDRA KUMAR TOMAR

ALOK KUMAR DWIVEDI DHIRESH SINGH DUBEY, UMESH KUMAR NEEKHAR, CHANDRA PRAKASH PATEL

Versus

THE STATE OF MADHYA PRADESH    ADVOCATE GENERAL

CrPC - S. 482, Narcotic Drugs and Psychotropic Substances Act - S. 8/21/22,

CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - SECTION 482.

Relief - TO SET ASIDE THE IMPUGNED ORDER DATED 30.05.2024.

{Regular Case} **FOR ADMISSION AND IA NO.22247/2024-APPLICATION FOR GRANT OF INTERIM SUPERDNAMA OF DESIRE CAR TILL THE PENDENCY OF PETITION**

6 **WP**  
**14177/2024**  
**(S)**

PRABHAKAR YEMDE

VIJAY KUMAR SHUKLA SUDARSHANA SHUKLA, SATYENDRA JYOTISHI

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL ADVOCATE GENERAL[R-1][AG][R-2][AG][R-3][AG]

**& Ors.**

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

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

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

Relief - TO DIRECT THE RESPONDENTS BE ORDERED TO GRANT THE BENEFIT

{FIXED DATE (COURT ORDER) COVID-19} **"WHETHER THE TEACHERS OF SCHOOLS**

**Daily Cause List dated : 16-12-2024**

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE SUSHRUT ARVIND DHARMADHIKARI  
& HON'BLE SHRI JUSTICE VIVEK JAIN**

**RECEIVING GRANT-IN-AID UNDER THE UNAMENDED PROVISIONS OF M.P. ASHASHKIYA SHIKSHAN SANSTHAN (ADHYAPAKON TATHA ANYA KARMCHARIYON KE VETANO KE SANDAY) ADHINIYAM, 1978 WOULD UPON ABSORPTION IN GOVERNMENT SERVICE BE ENTITLED TO COUNTING OF PAST SERVICES FOR PURPOSE OF PENSION, IN VIEW OF RULE 2 (II) (D) OF M.P. CIVIL SERVICES PENSION RULES, 1976 AND RULE 10 OF ASHASHKIYA SHIKSHAN SANSTHAN (INSTITUTIONAL FUND) RULES, 1983?"**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

7 **WP** CHETAN AKHIL GODHA NIKHIL KUMAR GODHA, ABHILASHA JAIN,  
**23359/2024** (CR) KARAN KACHHWAHA

Versus

THE STATE OF MADHYA PRADESH ADVOCATE GENERAL ADVOCATE GENERAL[R-2]  
**& Ors.**

CRIMINAL LAW & PROCEDURE-12100 - Code of Criminal Procedure, 1973-12102 - Code of Criminal Procedure, 1973-12102

{FIXED DATE (COURT ORDER) COVID-19} **FOR CONSIDERING FOLLOWING QUESTIONS:- (1) WHETHER IN VIEW OF THE JUDGMENT OF THE SUPREME COURT IN CASES OF ABDUL VAHAB (SUPRA) (IN PARTICULAR PARA - 21 AS QUOTED ABOVE) AND KALLO BAI (SUPRA), THE CONFISCATION PROCEEDINGS UNDER SECTION 11(5) OF THE ADHINIYAM, 2004 AND RULE 5 OF RULES, 2012 CAN BE INITIATED AND PROSECUTED SIMULTANEOUSLY WITH THE CRIMINAL TRIAL BEFORE THE JUDICIAL MAGISTRATE FIRST CLASS FOR THE OFFENCE PUNISHABLE UNDER SECTION 9 OF THE ADHINIYAM, 2010 ? (2) WHETHER THE DISTRICT MAGISTRATE CAN ADJUDICATE VIOLATION OF SECTION(S) 4, 5, 6, 6A AND 6B OF THE ADHINIYAM, 2004 BEFORE CONCLUSION OF TRIAL BY THE JUDICIAL MAGISTRATE FOR OFFENCE PUNISHABLE UNDER SECTION 9 OF THE ADHINIYAM, 2004 ? (3) WHETHER THE WRIT PETITION CAN BE ENTERTAINED AGAINST THE CONFISCATION ORDER PASSED BY THE DISTRICT MAGISTRATE UNDER SECTION 11(5) OF THE ADHINIYAM, 2004 DESPITE AVAILABILITY OF EQUALLY EFFICACIOUS ALTERNATE RELIEF OF APPEAL UNDER SECTION 11A OF THE ADHINIYAM AND REVISION UNDER SECTION 11B OF THE ADHINIYAM, 2004 ON THE GROUND THAT THE COLLECTOR CANNOT DECIDE THE VIOLATION OF SECTIONS 4, 5, 6, 6A AND 6B OF THE ADHINIYAM, 2004, UNTIL DECISION OF THE CRIMINAL COURT AFTER TRIAL FOR CONTRAVENTION OF AFORESAID SECTIONS?**  
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

**Transfer From Indore Bench**

**TOTAL CASES : 15 (with connected matters)**

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