

**HIGH COURT OF MADHYA PRADESH : JABALPUR
FULL BENCH - I (Time 10:15 AM)**

Daily Cause List dated : 28-07-2023

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE VISHAL MISHRA & HON'BLE SHRI
JUSTICE ARUN KUMAR SHARMA**

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.

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	WP 04118/2020 (S)	RATANLAL RATHORE	SAARANSH JAIN, LAVEESH SETHIA
		Versus	
		THE STATE OF MADHYA PRADESH & Ors.	, SUNIL KUMAR JAIN[INT], JITENDRA KUMAR TYAGI[INT], VINOD KUMAR SHARMA[INT], PRADEEP SHUKLA[INT], PANKAJ KUMAR JAIN[INT], HARSHIT RAGHUWANSHI[INT], ADVOCATE GENERAL[R-1][R-2][R-3][R-4][R-5][R-6][R-7]
		SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130 Relief - TO SET ASIDE THE IMPUGNED ORDER {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ORDERS ON FOLLOWING QUESTION OF LAWS: A) WHETHER, THE PRONOUNCEMENT OF LAW BY THE DIVISION BENCH OF THIS COURT I.E. THE JUDGMENT DELIVERED IN WRIT APPEAL NO.717/2016 ON 10/07/2017 IS BINDING UPON ANOTHER DIVISION BENCH OF THE SAME NUMBER OF JUDGES KEEPING IN VIEW THE PRINCIPLES OF THE DOCTRINE OF BINDING PRECEDENT , ESPECIALLY WHEN IN THE SUBSEQUENT JUDGMENT DELIVERED IN WRIT APPEAL NO.363/2020 THE DIVISION BENCH HAS NOT TAKEN INTO ACCOUNT THE EARLIER JUDGMENT DELIVERED IN WRIT APPEAL NO.717/2016, MEANING THEREBY, WHETHER THE JUDGMENT DELIVERED PRIOR IN TIME BY BENCH OF SAME STRENGTH HOLDS THE FIELD AND THE SUBSEQUENT JUDGMENT DELIVERED ON THE SAME SUBJECT BY THE SAME STRENGTH OF BENCH IS NOT A BINDING PRECEDENT? B) WHETHER, THE GOVERNMENT SERVANT, WHO IS NO LONGER IN SERVICE, IS ENTITLED FOR INCREMENT AFTER HIS RETIREMENT KEEPING IN VIEW THE JUDGMENT DELIVERED IN WRIT APPEAL NO.363/2020, DECIDED ON 06/03/2020? C) WHETHER, THE GOVERNMENT SERVANT IS ENTITLED FOR INCREMENT AFTER HIS RETIREMENT AND ENHANCED PENSION, ESPECIALLY WHEN THE PENSION HAS TO BE GRANTED BY TAKING INTO ACCOUNT THE EMOLUMENTS PAID TO THE GOVERNMENT SERVANT IN THE LAST YEAR OR PART OF LAST YEAR OF HIS SERVICE AS SUCH GOVERNMENT SERVANT IN LIGHT OF MADHYA PRADESH CIVIL SERVICES (PENSION) RULES, 1976? D) WHETHER, THE DECISION IN THE CASE OF STATE OF M. P. AND OTHERS VS. RAJENDRA PRASAD TIWARI (WRIT APPEAL NO.363/2020,DECIDED ON 06/03/2020) LAYS DOWN THE CORRECT LAW? AND IA NO.822/2021-INTERVENTION APPLN. 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	
	Transfer From Indore Bench		
1.1	Linked WP 17065/2019 (S)	SHRI RAJENDRA SINGH BAGHEL	RAHUL TRIPATHI, SHANKAR DAYAL SHUKLA, AMIT KUMAR PANDEY
		Versus	
		THE STATE OF MADHYA PRADESH & Ors.	, ADVOCATE GENERAL[R-1][R-3][R-4]
		SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130 Relief - DIR. THE RESP. FOR GRANTING NATIONAL INCREMENT DUE ON 01/07/2014 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R. AND IA NO.1754/2020-DOCUMENT TAKEN ON RECORD 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	
1.2	Linked WP 11201/2020 (S) Adjustment	KAUSHLENDRA PRATAP SINGH	SUYASH MOHAN GURU, RAJEEV KUMAR PATHAK, DEVENDRA KUMAR PRAJAPATI, SHRUTI SINGH CHOUHAN, SHANKAR DAYAL SHUKLA, RAHUL TRIPATHI
		Versus	
		THE STATE OF MADHYA PRADESH & Ors.	, ADVOCATE GENERAL[R-1][R-2][R-3][R-4]
		SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Retirement Benefit Cum Pension-17139 SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130 Relief - QUASH THE ORDER DT.26/09/2019 (ANN.P-7) {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R. 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION	

ADJUSTMENT NOTE

Daily Cause List dated : 28-07-2023

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE VISHAL MISHRA & HON'BLE SHRI JUSTICE ARUN KUMAR SHARMA

SUYASH MOHAN GURU 27-07-2023 TO 28-07-2023

- 1.3 **Linked**
WP
11715/2020
(S)
- YOGENDRA KUMAR PANDEY SUDHA GOUTAM, RAJNEESH KUMAR VERMA
- Versus
- THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1][R-2][R-3][R-4][R-5]
& Ors.
- SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Retirement Benefit Cum Pension-17139
SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
Relief - direction the respondents to pay the annual increment fell due on 01/07/2011 to the petitioner with 6% interest from 01/07/2011
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
-
- 1.4 **Linked**
WP
13703/2020
(S)
- S.K. NIGAM RAM BABU DUBEY, SUSHIL KUMAR SHUKLA, PRAGYA DIXIT
- Versus
- THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1]
& Ors.
- SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
Relief - TO DIRECT THE RES. TO PAY THE ANNUAL INCREMENT WAS DUE ON 01.07.2011 TO THE PETITIONER
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **IA NO.7349/2020-APPLICATION FOR REMOVING THE DEFAULT POINTED OUT FOR DEFAULT(S) (1)FORMAT OF MEMO PETITION / APPEAL PETITION IS NOT IN PROPER FORMAT**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
-
- 1.5 **Linked**
WP
13793/2020
(S)
- GIRRAJ PRASAD AGARWAL VIBHOR KUMAR SAHU, ASHOK KUMAR DOHRE
- Versus
- THE STATE OF MADHYA PRADESH , BRIJESH NATH MISRA[R-3][R-4], ADVOCATE GENERAL[R-2][R-5][R-6][R-1]
& Ors.
- When one party is court or Judicial Officer - HIGH COURT - HIGH COURT
SERVICE RELATING TO HIGH COURT EMPLOYEES-17600 - Retirement Benefit Cum Pension-17639 - Retirement Benefit Cum Pension-17639
SERVICE RELATING TO HIGH COURT EMPLOYEES-17600 - Increment-17630 - Increment-17630
Relief - DIRECTED TO EXTEND THE BENEFIT OF REGULAR ANNUAL INCREMENT
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
- Transfer From Gwalior Bench**
-
- 1.6 **Linked**
WP
16246/2020
(S)
- SHUBASH PATEL **& Anr.** SANJAY KUMAR BAKSHI
- Versus
- STATE OF M.P. **& Ors.** , ADVOCATE GENERAL[R-1][R-2][R-3][R-4][R-5][R-6]
- SERVICE RELATING TO STATE GOVT.-17100 - Salary Matter-17140 - Salary Matter-17140
Relief - KINDLY BE DIRECTIONED TO RESPONDENT TO GIVE THE ANNUAL INCREMENT TO THE PETITIONERS
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION AND I.R.**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
-
- 1.7 **Linked**
WP
19937/2020
(S)
- A.K. VERMA SATYA PRAKASH MISHRA, VIKAS KUMAR SHARMA, GIRISH TIWARI
- Versus
- THE STATE OF M.P. **& Ors.** , ADVOCATE GENERAL[R-1][R-2][R-3]
- SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
SERVICE RELATING TO STATE GOVT.-17100 - Retirement Benefit Cum Pension-17139 - Retirement Benefit Cum Pension-17139
Relief - direction the respondents to release the petitioner annual increment of the year of 2020 wichi is due since july 2020 and fixed the revision of payscale.
{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ORDERS ON THE QUESTION OF TERRITORIAL JURISDICTION OF PETITION**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION
-
- 1.8 **Linked**
WP
18218/2020
(S)
- RAIS YASH PAL RATHORE, ARCHANA MAHESHWARI, MAHAVEER JAIN

Daily Cause List dated : 28-07-2023

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE VISHAL MISHRA & HON'BLE SHRI JUSTICE ARUN KUMAR SHARMA

Versus

THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1][R-2][R-3][R-4]

& Ors.

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

Relief - PETITION MAY KINLDY BE ALLOWED AND APPROPRIATE DIRECTION MAY KINLDY BE ISSUED TO RESPONDENTS

**Transfer From
Indore Bench****{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R.**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.9

**Linked
WP
18207/2020
(S)**

SMT. SHEELA

YASH PAL RATHORE, ARCHANA MAHESHWARI,
MAHAVEER JAIN

Versus

THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1][R-2][R-3][R-4]

& Ors.

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

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130

Relief - PETITIONER MAY KINDLY BE ALLOWED AND APPROPRIATE DIRECTION MAY KINDLY BE ISSUED TO RESPONDENTS

**Transfer From
Indore Bench****{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R.**
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.10

**Linked
WP
01886/2021
(S)**

MAKHAN LAL NEMA

SHAKTI KUMAR SONI

Versus

THE STATE OF M.P. **& Ors.** , ADVOCATE GENERAL[R-2][R-3][R-4][R-5][R-1]

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

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130

Relief - TO GRANT ONE ANNUAL INCREMENT

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R.
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.11

**Linked
WP
03447/2021
(S)****Adjustment**

DR. OM PRAKASH SHARMA

AKASH CHOUDHURY, KABEER PAUL, ADITYA NARAYAN
SHUKLA, HIMANSHU SAHNI

Versus

SECRETARY **& Ors.** , ADVOCATE GENERAL[R-1][R-2][R-3][R-4]

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130

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

Relief - TO DIRECT THE RESP. TO GRANT ANNUAL INCREMENT TO THE PETITIONER

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION**ADJUSTMENT NOTE**

AKASH CHOUDHURY

28-07-2023 TO 28-07-2023

1.12

**Linked
WP
04025/2021
(S)**

VIJAY KUMAR GOUR

KABEER PAUL, ADITYA NARAYAN SHUKLA

Versus

THE STATE OF MADHYA PRADESH , PRAVEEN DUBEY[R-2][R-3], NITIN SINGH SOLANKI[R-2],
& Ors. ATUL KUMAR JAIN[R-2], AMIT KUMAR SINGH[R-2][R-3]
[R-3][R-3], ADVOCATE GENERAL[R-1]

SERVICE RELATING TO STATE GOVT.-17100 - Salary Matter-17140 - Increment

Relief - to direct the resp. to grant the annual increment to the petitioner.

{FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} FOR ADMISSION AND I.R.
01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.13

**Linked
WP
15711/2021
(S)**GANESH PRASAD BISEN **& Anr.**BHOLE NATH SHARMA, RADHE SHYAM SAMDANI,
RAGHUBANSH PRASAD PANDEY

Versus

THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1][R-2][R-3][R-4][R-5][R-6][R-7][R-8]

& Ors.

Daily Cause List dated : 28-07-2023**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE VISHAL MISHRA & HON'BLE SHRI JUSTICE ARUN KUMAR SHARMA**

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
 Relief - TO DIRECT THE RESPONDENT TO GRANT AND PAY THE ANNUAL INCREMENT
 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION AND I.R. (P.F. IS NOT PAID BY THE COUNSEL VIDE COURT ORDER DATED 09.09.2021)**
 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.14 **Linked**
WP
20305/2021
(S)

SURENDRA KUMAR KOSHITA ATUL UPADHYAY, VIJAY AWASTHI, SANJAY SHRIVASTAVA

Versus

THE STATE OF MADHYA PRADESH , ANOOP NAIR[R-2], SANKARAN PULAKKAT NAIR[R-2][R-4]
& Ors. [R-4], ADVOCATE GENERAL[R-1][R-3]

When one party is court or Judicial Officer - DISTRICT COURT - DISTRICT COURT
 SERVICE RELATING TO SUBORDINATE COURT EMPLOYEES-18000 - Retirement Benefit Cum Pension-18039 - Retirement Benefit Cum Pension-18039
 SERVICE RELATING TO SUBORDINATE COURT EMPLOYEES-18000 - Increment-18030 - Increment-18030
 Relief - QUASH THE ORDER DT.11/09/2021(ANN.P-4)
 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION**
 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

1.15 **Linked**
WP
13358/2023
(S)

RAMESH PRASAD SAMELE HARISH CHANDRA SINGH, MANOJ KUMAR RAJAK, KARNIK SINGH, ADITYA SINGH THAKUR, SHRIKANT MISHRA, ADITYA VEER SINGH, SHIVAM MISHRA, PRADEEP KUMAR DWIVEDI

Versus

THE STATE OF MADHYA PRADESH , ADVOCATE GENERAL[R-1][R-2][R-3][R-4]
& Ors.

SERVICE RELATING TO STATE GOVT.-17100 - Increment-17130 - Increment-17130
 Relief - TO DIRECT THE RESPONDENTS T GRANT THE BENEFIT OF ONE INCREMENT TO THE PETITIONER
 {FIXED DATE (ADMINISTRATIVE ORDER) COVID-19} **FOR ADMISSION AND IA NO.9297/2023-APPLICATION FOR IGNORING DEFAULT FOR DEFAULT(S) (1)FORMAT OF MEMO PETITION / APPEAL SEEMS TO BE INCORRECT AS RESPONDENT NO.3**
 01-A PETITION FILED UNDER ARTICLE 226 OF CONSTITUTION

TOTAL CASES : 16 (with connected matters)

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