



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

**BEFORE**

**HON'BLE SHRI JUSTICE SANJAY DWIVEDI**

**ON THE 20<sup>th</sup> OF NOVEMBER, 2024**

**REVIEW PETITION No. 1289 of 2024**

***THE STATE OF MADHYA PRADESH AND OTHERS***

*Versus*

***SMT. PRATIMA MISHRA***

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**Appearance:**

*Shri Girish Kekre – Government Advocate for the petitioners / State.*

*Shri Rahul Mishra – Advocate for the respondent.*

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**ORDER**

Learned counsel for the State has argued this review petition mainly on the ground that the same cannot be disposed of in the light of the order passed by the Indore Bench in W.P.No.7912/2022 decided by order dated 13.10.2023. He submits that the case of the Indore Bench is relating to a teacher of Tribal Department, whereas present petitioner in this case is of School Education Department and requisite qualification of appointment of teacher in that Madhyamik Shikshak are altogether different and the amendment came in respect of requisite qualification relating to a teacher of Madhyamik Shikshak of Tribal Department but no such amendment came in the requisite qualification of Madhyamik Shikshak on School Education Department. The Indore Bench has considered the aspect of amendment and passed the order but in the



present case, there was no such situation and therefore, the said judgment is not applicable.

2. Considering the submissions made by counsel for the parties and on perusal of the record, I am of the opinion that the petition needs to be heard properly and the order passed by this Court relying upon the decision of Indore Bench does not squarely cover the issue in the case. Therefore, the order passed by this Court which is subject matter of this review petition is **recalled**.

3. W.P.No.28691/2023 is restored to its original status.

4. List the writ petition in the **week commencing 9.12.2024**.

5. With the aforesaid, Review petition stands **allowed**.

**(SANJAY DWIVEDI)**  
**JUDGE**

JP