

HIGH COURT OF MADHYA PRADESH : JABALPUR  
FULL BENCH - I (Time 10:30 AM)

Daily Cause List dated : 15-03-2021

BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY &  
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

Court Room No.: 1

MOTION HEARING

[DIRECTION MATTERS]

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	IA No. 2641/2018 - INTERIM RELIEF in WP 01539/2018 (S)	ARUN PARMAR  Versus THE STATE OF MADHYA PRADESH	ANJANA SHRIVASTAVA, AJAY SHANKAR RAIZADA, JAGADISH PRASAD KANOJIA, MANOJ KUMAR SHARMA[P-1], PARAG TIWARI[P-1], SIDDHARTH PATEL[P-1], AMARDEEP GUPTA[P-1]  ADVOCATE GENERAL, PIYUSH BHATNAGAR[INT], SANJAY KUMAR AGRAWAL[INT], RAMSAKHA KUSHWAHA[INT], SIDDHARTH KUMAR SHARMA[INT], ABHISHEK ARJARIA[INT], SATISH CHOURASIA[INT], MANU V. JOHN[INT], DARSHAN SONI[INT], ANKITA KHARE[INT], SAMDARSHI TIWARI[R-1][AG], AKSHAY PAWAR[R-1][INT], VEER VIKRANT SINGH[R-1][INT], ARPAN PAWAR[R-1][INT], AISHWARYA SINGH[R-1][INT] [R-2][INT][R-2][INT][R-2][INT][R-2][INT][R-3][INT] [R-3][INT][R-3][INT][R-3][INT][R-4][INT][R-4][INT] [R-4][INT][R-4][INT][R-5][INT][R-5][INT][R-5][INT] [R-5][INT][R-6][INT][R-6][INT][R-6][INT][R-6][INT], KAILASH CHANDRA GHILDYAL[INT], MANOJ KUMAR RAJAK[INT], MANEESH KHOLIA[INT], SHIVAM MISHRA[INT], PAWAN BANSAL[INT], HARISH CHANDRA SINGH[INT], PRADEEP KUMAR DWIVEDI[INT], SHOBHITADITYA[R-1][INT][R-2][INT] [R-3][INT], JAGAT SINGH[INT], SHIVAM HAZARI[INT], SATISH CHAND CHATURVEDI[INT], VARUN TANKHA[R-7][INT], SAMRESH KATARE[R-7][INT], RAHUL GUPTA[R-7][INT]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Others  
Relief - FOR DIR. TO THE RESP. O DECIDE THE REPRESENTATION P-8 and P-12 REGARDING  
SENIORITY OF THE PETITIONER

{FIXED DATE (COURT ORDER) COVID-19} (FOR CONSIDERATION OF THE  
FOLLOWING QUESTIONS: (1) THE JUDGMENT OF THE FULL BENCH DEALING  
THE ISSUE OF PROBATION IS RELYING UPON THE RULE 8 OF THE RULES OF  
1961 ALTHOUGH IN THE LIGHT OF RULE 3 WHICH DEALS THE APPLICABILITY  
EITHER IN THE RULES OF 1961 OR IN THE RULES OF 1975 ON HAVING SPECIAL  
PROVISION, THE RULES OF 1961 WOULD NOT APPLY AND IN THE PRESENT  
CASE, THE SERVICES OF THE PETITIONERS OR THE INTERVENORS ARE  
GOVERNED BY THE RULES OF 1975 AND RULE 13 DEALS THE ISSUE OF  
PROBATION, HOWEVER, THE JUDGMENT OF THE FULL BENCH REQUIRES  
RECONSIDERATION IN THE SAID CONTEXT. (2) RULE 12 AND RULE 12(1)(A)  
APPLY TO THE "MEMBERS OF THE SERVICE" AND IT DO NOT DEAL WITH THE  
SENIORITY OF THE PROBATIONERS, WHO HAVE NOT QUALIFIED THE  
DEPARTMENTAL EXAMINATION WITHIN THE PERIOD OF PROBATION OR WITHIN  
THE EXTENDED PERIOD OF PROBATION, WHICH SHALL NOT BE MORE THAN  
ONE YEAR, HOWEVER, THE INTERPRETATION MADE IN PARAGRAPH NO.4 OF  
THE DIRECTION APPLYING THOSE RULES IS JUSTIFIED. (3) AS PER DIRECTION  
NO.2 OF THE JUDGMENT OF THE FULL BENCH IN THE CASE OF PRAKASH  
CHANDRA JANGRE(SUPRA), IT IS HELD THAT IF THE PROBATIONER HAS NOT  
QUALIFIED THE DEPARTMENTAL EXAMINATION WITHIN THE PERIOD OF  
PROBATION OR WITHIN THE EXTENDED PERIOD OF PROBATION, HE SHALL BE  
DEEMED TO BE A TEMPORARY GOVERNMENT SERVANT AND SHALL BE  
GOVERNED BY THE RULES OF 1960 BUT WITHOUT DEALING THE ISSUE OF  
SENIORITY, HOW THEY WILL ACHIEVE, AS SPECIFIED IN RULES 3, 3A,4,5,6,7,  
THE DIRECTION ISSUED IN CLAUSE 4 OF THE SAID JUDGMENT, IS NOT  
CONTRARY TO THE SPIRIT OF THE RULES OF 1960.

01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

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<b>Connected (7)</b> 1.1 WP 01541/2018 (S)  WP/01539/2018 (M)	VIVEK SHROTRIYA  Versus CHIEF SECRETARY GOVERNMENT OF MP	ANJANA SHRIVASTAVA, AJAY SHANKAR RAIZADA, JAGADISH PRASAD KANOJIA, ISHAN MEHTA[P-1], KARUNANIDHI BUNDELA[P-1], SATYENDRA KUMAR PATEL[P-1], ANSHUMAN SINGH[P-1]  ADVOCATE GENERAL, SANJAY KUMAR AGRAWAL[INT], RAMSAKHA KUSHWAHA[INT], DARSHAN SONI[INT], SIDDHARTH KUMAR SHARMA[INT], PIYUSH BHATNAGAR[INT], ANKITA KHARE[INT], AMIT SETH[R-1][AG], SAMDARSHI
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**Daily Cause List dated : 15-03-2021**  
**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY &**  
**HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

TIWARI[R-1][AG], SHOBHITADITYA[R-1][INT][R-2][INT]  
[R-3][INT], SATISH CHAND CHATURVEDI[INT],  
SHIVAM HAZARI[INT], JAGAT SINGH[INT]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Seniority-17142  
Relief - TO QUASH THE IMPUGNED ORDER DT. 14/09/2017 ANN P/16  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP  
NO.1539/2018).**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**Linked (7)**  
**1.2 IA No. 924/2018 -**  
**AMENDMENT IN**  
**RECORD in**  
**WP 01712/2018 (S)**  
  
**WP/01539/2018 (M)**

WARAD MURTI MISHRA

AJAY SHANKAR RAIZADA, JAGADISH PRASAD  
KANOJIA, SWAPNIL GANGULY[P-1][P-1], ABHISHEK  
SINGH[P-1], AMARDEEP GUPTA[P-1], PARAG  
TIWARI[P-1], SIDDHARTH PATEL[P-1], MANOJ KUMAR  
SHARMA[P-1], QUAZI FAKHRUDDIN[P-1]

Versus

CHIEF SECRETARY  
GOVERNMENT OF M.P

ADVOCATE GENERAL, SAMDARSHI TIWARI[R-1][AG]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Determination of Seniority  
Relief - FOR PLACEMENT OF THE PETITIONER IN THE SENIORITY LIST  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP  
NO.1539/2018)**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**Linked (7)**  
**1.3 IA No. 2722/2018 - FOR**  
**INTERIM**  
**DIRECTION,4664/2018**  
**- APPLICATION FOR**  
**RECALL OF THE**  
**ORDER DATED**  
**12/03/20,10877/2018 -**  
**DELINKING CASE NO.**  
**FROM WP**  
**1539/18,3706/18 AND**  
**3716/ in**  
**WP 02644/2018 (S)**  
  
**WP/01539/2018 (M)**

SMT. MANISHA SENTIYA

SANJIV KUMAR MISHRA, HIMANSHU MISHRA, JUBIN  
PRASAD, SATISH KUMAR DIXIT, ANVESH  
SHRIVASTAVA

Versus

THE STATE OF MADHYA  
PRADESH

ADVOCATE GENERAL, SAMDARSHI TIWARI[R-1][AG],  
AMIT SETH[R-1][AG], SANJAY KUMAR AGRAWAL[INT],  
PIYUSH BHATNAGAR[INT], RAMSAKHA  
KUSHWAHA[INT], SIDDHARTH KUMAR SHARMA[INT],  
ANKITA KHARE[INT]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Others  
Relief - TO DIRECT THE RESPONDENT TO DECIDE and REASSIGN SENIORITY TO THE PETITIONER.  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP  
NO.1539/2018)**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**Linked (7)**  
**1.4 IA No. 2721/2018 - FOR**  
**INTERIM**  
**DIRECTION,14312/2018**  
**- SEEKING INTERIM**  
**DIRECTION in**  
**WP 03706/2018 (S)**  
  
**WP/01539/2018 (M)**

SMT. BHARATI OGREY

SANJIV KUMAR MISHRA, HIMANSHU MISHRA, JUBIN  
PRASAD, SATISH KUMAR DIXIT, ANVESH  
SHRIVASTAVA

Versus

THE STATE OF MADHYA  
PRADESH

ADVOCATE GENERAL, SIDDHARTH KUMAR  
SHARMA[INT], DARSHAN SONI[INT], RAMSAKHA  
KUSHWAHA[INT], SANJAY KUMAR AGRAWAL[INT],  
PIYUSH BHATNAGAR[INT], ANKITA KHARE[INT], AMIT  
SETH[R-1][AG], SHOBHITADITYA[R-1][INT][R-2][INT]  
[R-3][INT], SATISH CHAND CHATURVEDI[INT],  
SHIVAM HAZARI[INT], JAGAT SINGH[INT], KAILASH  
CHANDRA GHILDYAL[R-5], MANOJ KUMAR  
RAJAK[R-5], PRADEEP KUMAR DWIVEDI[R-5]

**Daily Cause List dated : 15-03-2021**  
**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY &**  
**HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Others  
Relief - FOR DIR. TO THE RESP. TO DEICE and REASSIGN SENIORITY TO THE PETITIONER  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP**  
**NO.1539/2018)**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**Linked (7)**  
**1.5 IA No. 2723/2018 - FOR**  
**INTERIM**  
**DIRECTION,14314/2018**  
**- APPL. SEEKING**  
**INTERIM DIRECTION**  
**in**  
**WP 03716/2018 (S)**  
  
**WP/01539/2018 (M)**

RAJESH OGREY

SANJIV KUMAR MISHRA, HIMANSHU MISHRA, JUBIN PRASAD, SATISH KUMAR DIXIT, ANVESH SHRIVASTAVA

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, SANJAY KUMAR AGRAWAL[INT], RAMSAKHA KUSHWAHA[INT], JITENDRA KUMAR PATEL[INT], ANKITA KHARE[INT], SIDDHARTH KUMAR SHARMA[INT], DARSHAN SONI[INT], PIYUSH BHATNAGAR[INT], SAMDARSHI TIWARI[R-1][AG], SHOBBHITADITYA[R-1][INT][R-2][INT][R-3][INT], JAGAT SINGH[INT], SHIVAM HAZARI[INT], SATISH CHAND CHATURVEDI[INT], KAILASH CHANDRA GHILDYAL[R-5], MANOJ KUMAR RAJAK[R-5], PRADEEP KUMAR DWIVEDI[R-5]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Seniority-17142  
Relief - TO DECIDE AND REASSIGN SENIORITY TO THE PETITIONER  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP**  
**NO.1539/2018)**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**Connected (7)**  
**1.6 IA No. 1703/2019 -**  
**AMENDMENT IN**  
**RECORD in**  
**WP 16735/2018 (S)**  
  
**WP/01539/2018 (M)**

VINAY NIGAM

MANOJ KUMAR SHARMA, SIDDHARTH PATEL, PARAG TIWARI, AMARDEEP GUPTA, QUAZI FAKHRUDDIN

Versus

THE STATE OF MADHYA PRADESH

ADVOCATE GENERAL, SATISH CHAND CHATURVEDI[INT], JAGAT SINGH[INT], SHIVAM HAZARI[INT]

SERVICE RELATING TO STATE GOVT.-17100 - Seniority-17142 - Seniority-17142  
{FIXED DATE (COURT ORDER) COVID-19} **(THIS PETITION IS LINKWITH WP**  
**NO.1539/2018)**  
01-A PETITION FILED UNDER ARTICLE 226 AND/OR 227 OF CONSTITUTION

**TOTAL CASES : 7 (with connected matters)**

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