

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

**Daily Cause List dated : 21-06-2018**

**BEFORE: HON'BLE THE CHIEF JUSTICE & HON'BLE SHRI JUSTICE S.K. SETH & HON'BLE SHRI JUSTICE AKHIL KUMAR  
SRIVASTAVA**

**Court Room No.: 1**

**Note:- CASES FOR FINAL HEARING SHALL BE TAKEN UP BY ALL THE BENCHES IMMEDIATELY AFTER COMPLETION OF MOTION HEARING.**

**MOTION HEARING**

**[ORDERS]**

SN	Case No	Petitioner / Respondent	Petitioner/Respondent Advocate
1	CONC 00196/2009	M.K.STHAPAK  Versus  PRASHANT MEHTA	MANOJ SHARMA, HIMANSHU CHOURASIA, RAJENDRA MISHRA, RAO ASSOCIATES, VINEET KUMR PANDEY, AJIT AGRAWAL., S.PANDEY,S.K.CHATURVEDI, SHAILESH KUMAR JAIN[P-1], ANSHUL DIXIT[P-1], DEVENDRA KUMAR DIXIT[P-1]  P.KAURAV, KAMLESH DWIVEDI(R-2), PURUSHAINDR K AURAV,KAMLESH DWIVEDI,T.SHEIKH(R-5), P.K.KAURAV,KAMLESH DWIVEDI,T.SHIEKH(R-6), S P SINGH[R-8], SURENDRA PRATAP SINGH[R-8], SAMDARSHI TIWARI[R-2], PRANAY CHOUBEY[R-2], NAVENDRA CHOUDHARY[R-2], ANKIT UPADHYAY[R-2], TABREZ SHEIKH[R-2]

CONTEMPT-11800 - High Court of M.P. (Contempt of Court Proceedings) Rules, 1980-11820 - High Court of M.P. (Contempt of Court Proceedings) Rules, 1980-11820

{Fixed Date/SPC} FOR ORDERS ON THE AFORESAID REASONS AND AFTER CONSIDERABLE DELIBERATIONS, WE ARE RESPECTFULLY UNABLE TO SUBSCRIBE TO THE VIEW TAKEN VIDE ORDER DATED 14.02.2017 .IN THE CIRCUMSTANCES AND IN VIEW OF THE LAW LAID DOWN BY THE SUPREME COURT IN THE AFOREMENTIONED CASES, WE CONSIDER IT APPROPRIATE THAT THIS MATTER BE REFERRED TO HON'BLE THE CHIEF JUSTICE TO CONSTITUTE AND APPROPRIATE BENCH, AS HIS LORDSHIP MAY CONSIDER APPROPRIATE.THE QUESTIONS THAT ARISE IN THE PRESENT PETITION, IN THE BACKDROP OF FACTS AND LAW NOTED ABOVE ARE: (1)WHETHER THE HIGH COURT WHILE EXERCISING ITS CONTEMPT JURISDICTION CAN DIRECT, AMPLIFIED/MODIFIED THE ORDER OF WHICH NON-COMPLIANCE IS ALLEGED BY EXERCISING THE POWER UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA? (2)WHETHER THE PETITIONER OUGHT TO HAVE BEEN RELEGATED TO APPROACH THE APPROPRIATE FORUM FOR APPROPRIATE REMEDY TO CHALLENGE THE CONSEQUENTIAL ORDER PASSED BY THE AUTHORITIES? (3)WHETHER THE DIRECTIONS SUPPLEMENTAL TO THE ORDER THAT HAS BECOME FINAL SHOULD BE ISSUED BY THE COURT WHILE EXERCISING THE JURISDICTION IN THE DOMAIN OF THE CONTEMPT LAW ? (4)WHETHER DECIDED ISSUES CAN BE REOPENED OR PLEA OF EQUITIES CAN BE CONSIDERED BY INVOKING THE JURISDICTION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA WHILE EXERCISING THE JURISDICTION IN THE DOMAIN OF CONTEMPT LAW ? [ADMITTED ON : 05-11-2014]

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**TOTAL CASES : 1 (with connected matters)**

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