

State Of Madhya Pradesh vs Kailash Narayan Mathur (D) Thr.Lrs.. on 20 January, 2020

Author: M.R. Shah

Bench: M.R. Shah

ITEM NO.24

COURT NO.8

SECTION IV-A

S U P R E M E C O U R T O F I N D I A RECORD OF PROCEEDINGS

Civil Appeal

No(s). 11483/2018

STATE OF MADHYA PRADESH

Appellant(s)

VERSUS

KAILASH NARAYAN MATHUR (D) THR.LRS. & ORS.

Respondent(s)

IA No. 49936/2017 - EXEMPTION FROM FILING O.T.
IA No. 49935/2017 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

C.A. No. 11484/2018 (IV-A)

IA No. 3/2012 - PERMISSION TO FILE ANNEXURES)

Date : 20-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

[IN CHAMBER]

For Appellant(s)

Ms. Pratibha Jain, AOR
Mr. Praveen Kumar Pandey, Adv.
Mr. Rahul Kaushik, AOR

For Respondent(s)

Nr. Soumyajit Pani, Adv.
Mr. Ansar Ahmad Chaudhary, AOR
Mr. Abhinav Deshwal, Adv.
Mr. Harshi K, Adv.
Ms. Pratibha Jain, AOR

UPON hearing the counsel the Court made the following
O R D E R

It is a very sorry state of affairs so far as the State of Madhya Pradesh is concerned. There are so many matters in which State of Madhya Pradesh is a party, more particularly as the petitioner/appellant which are not Reason:

ready for hearing. The present case is the glaring example. By order dated 2.4.2018, this Court passed an order directing the counsel for the appellant – State of Madhya Pradesh to file the amended memo of parties which has not been filed till date. In October 2019, as a last chance, two weeks' time was granted to file the amended cause title. Till date, the amended cause title has not been filed. Due to the aforesaid, the matter is 'Not Ready' and could not be placed before the Court for further hearing. It is noticed that the special leave petitions out of which the present appeal arise are of the years 2011 & 2012 respectively and still at the stage of admission. It is also noticed that this situation is by and large prevalent in many matters in which State of Madhya Pradesh is a party. Still, as a last chance, in the interest of justice and as requested by the learned Advocate appearing for the appellant, further one week time is granted to file the amended cause title failing which the civil appeals shall stand dismissed for non- prosecution automatically, without referring the matter to the Court.

The Registry is directed to communicate this order to the Chief Secretary, State of Madhya Pradesh and Secretary, Law Department, State of Madhya Pradesh so that corrective steps be taken in other matters in which State of Madhya Pradesh is a party.

(SONIA BHASIN)
SENIOR PERSONAL ASSISTANT

(VIRENDER SINGH)
BRANCH OFFICER

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 11483 OF 2018

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VERSUS

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It is a very sorry state of affairs so far as the State of Madhya Pradesh is concerned. There are so many matters in which State of Madhya Pradesh is a party, more particularly as the petitioner/appellant which are not ready for hearing. The present case is the glaring example. By order dated 2.4.2018, this Court passed an order directing the counsel for the appellant – State of Madhya Pradesh to file the amended memo of parties which has not been filed till date. In October 2019, as a last chance, two weeks' time was granted to file the amended cause title. Till date, the amended cause title has not been filed. Due to the aforesaid, the matter is 'Not Ready' and could not be placed before the Court for further hearing. It is noticed that the special leave petitions out of which the present appeal arise are of the years 2011 & 2012 respectively and still at the stage of admission. It is also noticed that this situation is by and large prevalent in many matters in which State of Madhya Pradesh is a party. Still, as a last chance, in the interest of justice and as requested by the learned Advocate appearing for the appellant, further one week time is granted to file the amended cause title failing which the civil appeals shall stand dismissed for non-prosecution automatically, without referring the matter to the Court.

The Registry is directed to communicate this order to the Chief Secretary, State of Madhya Pradesh and Secretary, Law Department, State of Madhya Pradesh so that corrective steps be taken in other matters in which State of Madhya Pradesh is a party.

.....J. (M.R. Shah) New Delhi January 20, 2020