

# **The M.P. Rajya Prashasanik Adhikaran (Lambit Evam Nirakrat Avedano Ka Antaran) Adhiniyam, 2003**

MADHYA PRADESH

India

## **The M.P. Rajya Prashasanik Adhikaran (Lambit Evam Nirakrat Avedano Ka Antaran) Adhiniyam, 2003**

### **Act 28 of 2003**

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The M.P. Rajya Prashasanik Adhikaran (Lambit Evam Nirakrat Avedano Ka Antaran) Adhiniyam, 2003 M.P. Act No. 28 of 2003 [Dated 21st August, 2002] Received the assent of the Governor on the 21st August, 2003; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 25th August, 2003. An Act to provide for the transfer of applications and cases pending before and decided by the Madhya Pradesh State Administrative Tribunal which has been abolished by the Government of India vide its Notification No. GSR(E) dated the 17th April, 2003 published in the Gazette of India Extra-ordinary, Part II, Section 3, sub-section (i), dated the 17th April, 2003. Be it enacted by the Madhya Pradesh Legislature in the Fifty-fourth Year of the Republic of India as follows ;

### **1. Short title, extent and commencement.**

(1) This Act may be called the Madhya Pradesh Rajya Prashasanik Adhikaran (Lambit Evam Nirakrat Avedano Ka Antaran) Adhiniyam, 2003. (2) It extends to the whole of Madhya Pradesh. (3) It shall be deemed to have come into force with effect from 12th May, 2003.

### **2. Definitions.**

- In this Act, unless the context otherwise requires, - (a) "Application" means an application made under Section 19 of the Administrative Tribunals Act, 1985 (No. 13 of 1985) and includes other applications made under the aforesaid Act; (b) "Appointed day" means the 17th day of April, 2003 on which the notification dated 17th April, 2003 of the Government of India was published in the Gazette of India for abolition of Tribunal; (c) "Tribunal" means the Madhya Pradesh State Administrative Tribunal and benches thereof established under sub-section (2) of Section 4 of the Administrative Tribunals Act, 1985 (No. 13 of 1985).

### **3. Transfer of pending and disposed off cases and applications.**

(1) Any plaint or other proceeding which was transferred by the Civil Court and is pending on the appointed day before the Tribunal shall stand transferred back to the same Civil Court from which it was transferred and in case such Court is not in existence then to the Court of competent jurisdiction in its place and such Court shall proceed to dispose off the same as if it were a plaint under the Code of Civil Procedure, 1908 (No. 5 of 1908). (2) Every proceeding which was transferred by the High Court to the Tribunal and is pending on the appointed day before the Tribunal shall stand transferred back to the High Court. (3) Every proceeding of a case which was filed as an application in the Tribunal and is pending on the appointed day before the said Tribunal shall stand transferred to the High Court. (4) Every proceeding relating to contempt, execution or review of final order or interim order pending before the Tribunal on the appointed day shall stand transferred to the High Court. (5) The record of all cases/applications decided by the Tribunal upto appointed day shall stand transferred to the High Court and District Courts respectively.

### **4. Intimation of transfer of cases to parties.**

- As soon as possible after the transfer of applications or proceedings, under Section 3 an officer of State deputed for the purpose shall intimate the applicant and the respondents accordingly.

### **5. Power to make rules.**

(1) The State Government may, by notification, make rules for carrying out the purposes of this Act. (2) All rules made under this Act shall be laid on the table of the Legislative Assembly.

### **6. Repeal.**

- The Madhya Pradesh Rajya Prashasanik Adhikaran (Lambit Evam Nirakrat Avedano Ka Antaran) Adhyadesh, 2003 (No. 1 of 2003) is hereby repealed.