

PETITIONER:  
HON'BLE CHIEF JUSTICE, HIGH COURT M. P. JABALPUR

Vs.

RESPONDENT:  
MOHAN KUMAR

DATE OF JUDGMENT 23/08/1993

BENCH:  
PANDIAN, S.R. (J)  
BENCH:  
PANDIAN, S.R. (J)  
KULDIP SINGH (J)

CITATION:  
1994 SCC Supl. (2) 602 1993 SCALE (4) 656

ACT:

HEADNOTE:

JUDGMENT:

ORDER

1. We are in a state of extreme pain on receipt of a distress signal sent by the learned Chief Justice of Madhya Pradesh by his letter dated August 6, 1993 informing this Court that the judicial work in the State of Madhya Pradesh in all the three Benches and the judicial administration at the State level have virtually come to a grinding halt for the reasons mentioned in the letter and requesting this Court to take notice of the present unpleasant and unsavoury situation and transfer the public interest litigation initially registered as N.P. No. 1532 of 1993 at Indore and subsequently transferred to the main seat of the High Court at Jabalpur and re-registered as N.P. No. 3077 of 1993 by exercising the powers under Article 139-A(2) of the Constitution.

603

2. Though we are quite aware of the legal position that this Court is not having any supervisory control over the administration of a High Court, yet in order to keep the machinery of the institution on move and also in order to avoid any further complications, we are constrained to make the following order:

3. Under this circumstance the learned Chief Justice of Madhya Pradesh shall call for a Full Court meeting of all the Hon'ble Judges of all the three Benches, namely, Gwalior, Jabalpur and Indore on August 28, 1993 at 3.00 p.m. in the court premises at Jabalpur. If the learned Chief Justice, for any reason, is unable to attend the meeting, the said meeting shall be presided over by the seniormost puisne judge present.

4. In the said meeting an Administrative Committee consisting of seven Judges of all the Benches of the High Court including the learned Chief Justice shall be constituted.

5. The Committee shall comprise of two Judges from each of the Benches of the High Court and shall be presided over by

the learned Chief Justice. This Committee shall be constituted/elected/selected by the Full Court.

6. The said Committee shall function up to December 31, 1993 looking after the transfer of Subordinate Judges and shall be responsible for the administration including the transfers of the subordinate judiciary. This Committee shall be in supersession of the earlier Administrative Committee and the Transfer Committee.

7. We direct a notice be issued to the Registrar of the High Court of Jabalpur directing him to submit a report on or before September 2, 1993 intimating the results of the proceedings of the meeting and the action taken thereon.

8. At this stage Mr S.K. Agnihotri accepts notice on behalf of the Registrar as well as of the learned Chief Justice of Madhya Pradesh. Mr S.A. Gambhir appearing with Mr A. Mathur accepts notice for Mr Mohan Kumar, respondent herein.

9. The Registry is directed to send this order to the learned Chief Justice and to the Registrar of the High Court by telex/fax and also by the normal method.

10. Meanwhile, there will be a stay of the proceedings in the said M.P. No. 3077 of 1993 pending in the High Court of Jabalpur. The transfer orders of the Subordinate Judges pursuant to the order dated July 17, 1993 are suspended.

11. List the matter on September 2, 1993 before the same Bench. If the same Bench is not sitting on that day, list the matter in the chambers at 1.30 p.m.

12. Copy of the order may be given today itself.

Court Master

604