

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 6738 of 2023**

(NASIR ALI Vs INCOME TAX OFFICER AND OTHERS)

Dated : 27-03-2023

None for the counsel authorized by the petitioner in the Power of Attorney is present.

In respect of a call given by the M.P. State Bar Council asking the members of the Bar in the State of M.P. to abstain from Court work w.e.f 23.03.2023, the Division Bench of this Court took *suo motu* cognizance of the situation in W.P. No. 7295/2023 (***In Reference (Suo Motu) vs. Chairman, State Bar Council of M.P. and Others***) and passed order on 24.03.2023, the operative portion of which is reproduced below for ready reference and convenience:-

"18. Under these circumstances, since the judgment of the Honâ€™ble Supreme Court has been violated and keeping in mind the interest of the poor litigants, we deem it just and necessary to issue the following directions:-

(i) All the advocates throughout the State of Madhya Pradesh are hereby directed to attend to their court work forthwith. They shall represent their clients in the respective cases before the respective courts forthwith;

(ii) If any lawyer deliberately avoids to attend the court, it shall be presumed that there is disobedience of this order and he will be faced with serious consequences including initiation of proceedings for contempt of court under the Contempt of Courts Act;

(iii) If any lawyer prevents any other lawyer from attending the court work, the same would be considered as disobedience of these directions and he will be faced with serious consequences including initiation of proceedings under the Contempt of Courts Act;

(iv) Each of the judicial officers are directed to submit a report as to which lawyer has deliberately abstained from attending the court;

(v) The judicial officers shall also mention the names of advocates who have prevented other advocates from entering the court premises or from conducting their cases in the court;

2

(vi) Such advocates shall be dealt with seriously which may even include proceedings under the Contempt of Courts Act as well as being debarred from practice.

The Registry is directed to ensure that all the respondents are served with the notice of this petition as well as of this order forthwith.

Post after service of notice."

Despite writ of mandamus having been issued by Coordinate Bench on 24.03.2023, counsel for petitioner **Shri Sapan Usrethe and Shri Amaan Haroon Khan**, despite being authorized by petitioner vide Power of Attorney, are abstaining from Court work.

This *prima facie* amounts to disobedience of the writ of mandamus issued on 24.03.2023 in W.P. No. 7295/2023.

Accordingly, Registry is directed to issue show cause notice to Shri Sapan Usrethe and Shri Amaan Haroon Khan to explain before the next date of hearing as to why proceedings for contempt be not initiated against them for disobedience of order passed by the Division Bench on 24.03.2023 in W.P. No. 7295/2023.

Registry is further directed to maintain a separate file qua the contempt notice.

List after two weeks.

(SHEEL NAGU)
JUDGE

(VIRENDER SINGH)
JUDGE

vivek