

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

FA No. 969 of 2024

(MS. SHALINI SHARMA Vs DR. REKHA BAIJAL AND OTHERS)

FA No. 1365 of 2024

Dated : 14-08-2026

*Shri Joydeep Bhattacharya, Shri S.P. Mishra - Advocates for appellant
with appellant Smt. Shalini Sharma present.*

Shri Dharmendra Soni - Advocates for respondents.

FA No. 969 of 2024

I.A. No.17818/2026 has been filed for withdrawal of this First Appeal.

Shri Joydeep Bhattacharya, counsel for the appellant Shalini Sharma submits that he has not received any instructions from the appellant to withdraw this appeal, nor the local counsel Shri S.P. Mishra has received such instructions.

On perusal of the record of the case, it is evident that the appeal was filed by Shalini Sharma through her counsels represented by Advocates Sarvshri S.P. Mishra, Falguni Yadav, Jitendra Mohan Sharma, Shailendra Kumar Patel, Joydeep Bhattacharya, Satyarth Balaji Sinha and Surendra Kumar.

Thereafter, another Vakalatnama has been filed vide Document No.12471 of 2026, as per which one Shri Ajay K. Yadav, Enrollment No.1072 of 2013, has filed Vakalatnama on behalf of the appellant with NOC of Shri S.P. Mishra on 05.8.2026.

Today, Shri Joydeep Bhattacharya and Shri S.P. Mishra have appeared

along with the appellant Shalini Sharma in person. The appellant in person submits that she does not know any Advocate Ajay Kumar Yadav and she has never executed any Vakalatnama in favour of Ajay Kumar Yadav. Shri S.P. Mishra, Advocate submits that he has not given any NOC. Appellant appears in person and has produced her Passport No.Z5827545 in support of her identity. She has submitted photocopy of Passport which be placed on record.

The office has deleted the name of earlier counsel on the basis of this Vakalatnama and retained the name of Shri Ajay Kumar Yadav, as counsel for the appellant, as the Vakalatnama has been filed by Ajay Kumar Yadav on 05.08.2026.

Thereafter, an application for withdrawal of the appeal has also been filed on 11.08.2026 signed by Shri Ajay Kumar Yadav as Advocate and supported by affidavit of Shalini Sharma dated 09.08.2026.

Shri Shalini Sharma appellant present in person submits that she never came down to Jabalpur on 09.08.2026 and she does not know any A.K. Yadav, Advocate or Ajay Kumar Yadav, Advocate at Jabalpur and she has not instructed any Advocate to withdraw this appeal. She denies her signatures on the affidavit. This Court heard this matter at 2:30 PM and then posted it at 4:00 PM and desired to have the stand of the Oath Commissioner, who has executed the affidavit in support of application for withdrawal of appeal, namely Ms. Laxmi Devi Singh. At 2:30 PM Shri Ajay Kumar Yadav, Advocate had not appeared but at 4:00 PM Shri Ajay Kumar Yadav, Advocate, appeared and submitted that he does not know anything

about this case. He has never filed any Vakalatnama. He does not know the appellant, who is present in person before the Court and he had not filed any application for withdrawal of the appeal. He is not concerned at all with this case. He is an Advocate practicing at District Court, Jabalpur, He totally disowned the Vakalatnama as well as the application for withdrawal of the appeal. He also submits that he does not know the appellant Smt. Shalini Sharma. He submitted his identification card issued by District Bar Association, Jabalpur, mentioning his name, enrollment number MP-1072/2013 and his address.

Ms. Laxmi Devi Singh, Oath Commissioner, also appeared at 4:00 p.m. and submits that one lady came for execution of this affidavit on 09.08.2026 which was a Sunday and she was outside the Court. However, she submits that the lady who had approached for execution of this affidavit entered at serial number 1037 in her register, is not the same lady who is standing in the Court as appellant. She also submits that Shri Ajay Kumar Yadav, who is in the Court, is not the person who had accompanied the said lady as Advocate. She is unable to tell today that who was the person who had accompanied the said lady.

It is seen that the person identifying the affidavit for withdrawal application is one A.K. Yadav, Advocate but Shri A.K. Yadav, Advocate, who is present in the Court is not known either to the appellant in person and even Ms. Laxmi Devi Singh is unable to identify the said lady as the person who had approached her for execution of the affidavit. She also does not identify Shri Ajay Kumar Yadav, Advocate as the person who approached

her as advocate of that lady.

Therefore, it is clear that there is something mischievous in the matter and it requires a detailed probe.

The application for withdrawal of appeal, I.A. No.17818 of 2026, is dismissed, so also the Vakalatnama filed by Shri Ajay Kumar Yadav is rejected. The earlier Vakalatnama filed by Shri Joydeep Bhattacharya and Shri S.P. Mishra, Advocates and associates shall be restored and their names shall be entered in the CMIS information.

The Registrar (Judicial-I) shall cause a detailed inquiry into the matter within four weeks, and if he comes to a conclusion that there is any criminal activity in the matter, then he shall report the matter to the police and get an FIR lodged, so that the guilty are brought to book. The register of Ms. Laxmi Devi Singh, Oath Commissioner, is shown to have various over-writings and there are number of blank pages on those dates which have already passed. For 09.08.2026 there are as many as four blank pages. Her register is seized and it shall form part of the record of the inquiry to be conducted by Registrar (Judicial-I) of this Court, so as to verify the signatures of the deponent on the said register.

At this stage, Shri Dharmendra Soni, Advocate, presses on his application for change of counsel moved on behalf of respondents Rekha Baijal and Neha Shukla.

The counsel for the appellant Shri Joydeep Bhattacharya informs that Rekha Baijal has already expired on 07.08.2026.

In view of the aforesaid, consideration of this application is deferred

for respondent No.1. This application is allowed only to the extent of respondent No.2 and Vakalatnama of Shri Dharmendra Soni is taken on record for respondent No.2 only.

Appellant shall take appropriate steps for the death of respondent No.1 within for weeks.

FA No. 1365 of 2024

For the detailed reasons contained in the main case i.e. First Appeal No.969/2024, the Vakalatnama filed by Shri Ajay Kumar Yadav for respondent No.1 is rejected. Respondent No.1 shall be represented by Shri Joydeep Bhattacharya, Shri S.P. Mishra and associates and their names shall be restored in the CMIS information.

The counsel for the respondent informs that appellant No.1 Rekha Baijal has died on 07.8.2026. This information is taken on record.

The counsel for the appellant may take appropriate steps in the matter within four weeks.

List after four weeks.

(VIVEK JAIN)
JUDGE