

W.P. No.13544/2020
(Ashish Pratap Singh Vs. STATE OF M.P.)

Gwalior, Dt. 29.09.2020

Shri Veer Singh Sosodia, Advocate for the petitioner.

Shri Ankur Mody, learned AAG for the respondent/State.

Shri Raju Sharma, Shri V.D. Sharma and Shri Sanjay Dwivedi,
learned counsel as Amicus Curaie.

Learned counsel for the rival parties are heard through video conferencing.

Pursuant to orders passed by this Court earlier on 18.09.2020 and 25.09.2020, learned Amicus Curaie, Shri Raju Sharma, Shri V.D. Sharma and Shri Sanjay Dwivedi, have filed two reports which reveal various instances of large congregation of persons much more than the limit prescribed under the precautionary guidelines issued by the Central Government, the State Government and concerned District Magistrate for minimising the spread of Covid-19.

After having heard learned counsel for the rival parties and learned Amicus Curaie, the impression that is gathered by this Court is that the executive authorities who are responsible for execution of the said guidelines are unable to discharge their duties.

This Court would like to be apprised as to whether the failure on the part of the executive authorities to ensure strict implimentation of the said precautionary guidelines is intentional or for reasons beyond the control of the executive authorities.

For the aforesaid purpose, it would be appropriate to hear in person the District Magistrate and Superintendent of Police of five districts namely Morena, Bhind, Gwalior, Datia and Shivpuri through video conferencing tomorrow i.e. 30.09.2020 at 9:30 am.

The intention of this Court is to ascertain the practical difficulties being faced by these executive authorities in their concerned district where number of occasions have come to light, as revealed by the reports of Amicus Curaie and also by the petitioner, which seems to be relatable to the forthcoming bi-elections to the vacant seat in the M.P. Legislative Assembly.

I.A. No.5562/2020 filed by the petitioner for making additional respondents as party shall be taken up on the next date of hearing.

Registry is directed to ensure the following:-

1. The second report of Amicus Curaie filed recently be supplied to the learned AAG, Shri Mody, today itself.
2. The Principal Registrar of this Court shall ensure that District Magistrate and Superintendent of Police of Morena, Bhind, Gwalior, Datia and Shivpuri are informed so that they are ready to answer the query of this Court through video conferencing for which 10 minutes' slot would be allotted to each district at 9:30 am on 30.09.2020 starting with Morena followed by Bhind, Gwalior, Datia and Shivpuri.

List the case on **30.09.2020 at 9:25 am.**

(Sheel Nagu)
Judge

(Rajeev Kumar Shrivastava)
Judge

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