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WP-18105-2021

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 28th OF JANUARY, 2025

WRIT PETITION No. 18105 of 2021

YOUTH FOR EQUALITY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ansuman Singh with Shri Rohan Harne - Advocates for petitioner.

*Shri Amit Seth-Additional Advocate General with Shri S.S. Chouhan- Government
for respondent State.*

Shri Siddharth Shukla - Advocate for respondent No. 3.

Shri R.S. Thakur and Shri V.P. Shah - Advocates for intervener.
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WITH

WRIT PETITION No. 4531 of 2024

ANUBHAV SAINI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Anshul Tiwari - Advocate for petitioners.

*Shri Amit Seth-Additional Advocate General with Shri S.S. Chouhan- Government
for respondent State.*
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ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

Despite the order passed on 20.01.2025, the Registrar of the



respondent No. 3 is not present, however, the said order was passed by this Court because there was no representation by respondent No. 3.

2. Today, Shri Siddharth Shukla, learned counsel appeared on behalf of the respondent No. 3 and he has also filed the documents with reply whereby it is stated that the writ petitioner is political party and it is signed by one Girish Kumar Singh, who being working as employee could not participate in the political party and the writ petition, which is pending before this Court is filed by a political party and signed by the person as mentioned above who was also employee of the University.

3 . Though learned counsel for the petitioner submits that in the petition the issue raised is not political before this Court, but we note that it is the issue that petition filed by a person who was working in the University and simultaneously is Secretary of the political party and as stated by counsel for respondent No. 3 it could not have filed the present petition as Secretary of the political party.

4 . It is stated by counsel for the respondent No. 3 that the person who has filed the petition has already resigned from the University on 26.10.2022. In view of this, we do not wish to dilate further on this aspect.

5. It is stated by learned counsel for the intervener that the present petitioner/political party has not challenged the amendment carried out by the Legislation in the M.P. Lok Seva (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhade Vargon Ke Liya Arakshan) Sanshodhan Adhiniyam 2019 whereby reservation for OBC has been enhanced to 27% but has only challenged the consequential administrative order/ executive instructions dated



02.09.2021 which is in the matter of working of the said reservation.

6. Since, in the present petition, there is no challenge to the amendment Act but only to the consequential executive instruction, the present petition is not maintainable, it is hereby dismissed.

W.P. NO. 4531/2024.

In this petition also challenge is made to executive instruction dated 02.09.2021 without making any challenge to the amendment Act whereby, the percentage of reservation to the OBCs has been enhanced to 27%, therefore, this petition is also not maintainable, it is also dismissed.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

MISHRA