

The High Court Of Madhya Pradesh**WP-7366-2020***(NIMESH PATHAK Vs THE STATE OF MADHYA PRADESH AND OTHERS)***Jabalpur, Dated : 27-05-2020****Heard through Video Conferencing:**

Mr. Lucky Jain, Advocate for the petitioner.

Mr. P.K. Kaurav, Advocate General for the respondent No.1/State.

Petitioner has filed this Public Interest Litigation, claiming the following reliefs:

"(a) kindly take the cognizance of this situation where the concerned Advocates across the State of Madhya Pradesh, needs immediate financial assistance to tie with this Covid-19 Situation.

(b) to direct the Respondent No.2 and 3 to invoke the provisions of Advocate Act, 1961 and Advocate Welfare Scheme to meet the current COVID-19 situation and to create a Emergency Fund for the Young Advocates and financial not well off/needly Advocates in need of financial assistance during COVID-19.

(c) to direct the Respondents to provide financial Assistance to those practicing Advocates, who has not enrolled himself with any court Association but only enrolled with Madhya Pradesh State Bar Council.

(d) to provide the financial assistance to the Advocate Clerk registered with any of the Court Association in State of Madhya Pradesh.

(e) Any other order or direction as this Hon'ble Court may deem fit in the interest and favour of the Advocates."

Learned Advocate General pointed out that during the pendency of this petition the State Government has formulated the Scheme to extend the financial assistance to the needy lawyers and clerks etc., which was published in the Gazette of M.P. on 4th May, 2020 and various amounts have been distributed thereunder.

In view thereof, learned counsel for the petitioner stated that he may be permitted to withdraw the present writ petition with liberty to file fresh one on the same cause of action impugning the scheme formulated to extend the financial assistance to the needy lawyers and clerks etc. as there are certain impugned clauses which are required to be challenged.

Dismissed as withdrawn with liberty as prayed for.

(AJAY KUMAR MITTAL)
CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
JUDGE

psm

