

News

The Madhya Pradesh High Court maintains the judge's termination for clearing the defendants without issuing a written ruling.

He had acquitted the defendants in three criminal cases without writing the final verdict, according to a 2012 surprise inspection.



The firing of a civil judge who was discovered to have cleared the accused in at least three cases without rendering a decision was recently affirmed by the Madhya Pradesh High Court [Mahendra Singh Taram vs. The State Of Madhya Pradesh].

Chief Justice Suresh Kumar Kait and Justice Vivek Jain's bench dismissed Civil Judge Class-II **Mahendra Singh Taram's** appeal against his 2014 dismissal from the service, stating that such serious misconduct cannot be tolerated.

"It is evident from the evidence that the petitioner was found guilty of all five allegations. He acquitted the accused in criminal proceedings without issuing a judgment, which is clearly of a service nature, which is a gross misconduct accusation,

the Court stated.

After his appeal against his termination was denied in 2016, Taram filed a case in the High Court. In 2003, he was appointed as a judicial officer.

He had acquitted the defendants in three criminal cases without writing the final verdict, according to a 2012 surprise inspection. Additionally, it was discovered that he had postponed two additional criminal cases without creating order sheets.

The Full Court decided to dismiss Taram from service after an inquiry officer discovered that all five of the charges against him were true.

Taram contended in the petition contesting this ruling that his error was legitimate because he was carrying out his responsibilities while dealing with personal issues and workload strain.

His primary contention, though, was that an other judge who had been accused of similar crimes had received a far less penalty of not being promoted by two levels.

However, the Court pointed out that the other judicial officer's charges were not equally based. The other court officer was charged with declaring that certain civil cases were settled without written rulings. He was also accused of having determined certain civil cases without putting the case files in the record room.

The Court rejected Taram's claim of parity, ruling that "the petitioner cannot claim negative parity with the order, insofar as both the disciplinary proceedings conducted against them are different and not on similar footing," because the charges against Shri Siddharth Sharma differed from the petitioner's charges.

As a result, the Court maintained Taram's termination from service and denied the petition.

The petitioner (Taram) was represented by senior attorney **Rameshwar Singh Thakur** and advocate Vinayak Prasad Shah.

Madhya Pradesh was represented by government advocate Anubhav Jain.

The High Court was represented by **Senior Advocate Aditya Adhikari** and Advocate Divya Pal.

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