

(2024) 04 MP CK 0205
In the Madhya Pradesh High Court
Case No : Writ Petition No. 11605 Of 2024

Didar Singh And Others

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 30-04-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Madhya Pradesh Land Revenue Code, 1959 — Section 44(1), 248

Citation : (2024) 04 MP CK 0205

Hon'ble Judges : Pranay Verma, J

Bench : Single Bench

Advocate : Manoj Manav, Koustubh Pathak

Final Decision : Disposed Of

Judgement

Pranay Verma, J

1. By this petition preferred under Article 226 of the Constitution of India, the petitioners have challenged the order dated 5/4/2024 (Annx.P/4) passed by the Naib Tehsildar, Tehsil Malharganj, Motitabela, District Indore in exercise of power under Section 248 of the M.P. Land Revenue Code, 1959.

2. The aforesaid order is admittedly an appealable order under Section 44(1) of the Code, 1959. Learned counsel for the petitioners submits that the respondents are hell bent upon taking possession from the petitioners and would do the same without letting the petitioners avail the aforesaid remedy.

3 . Thus in the available facts of the case, it is directed that in case the petitioners prefer an appeal along with a stay application before the appellate authority within a period of ten days from today, then the stay application of the petitioners shall be decided by such appellate authority in accordance with law by a speaking order.

4. Till the decision of the stay application of the petitioners, the impugned order

dated 5/4/2024 (Annexure P/4) shall be kept in abeyance.

5. With the aforesaid, without expressing any opinion on merits, petition stands disposed off.

C.c. as per rules.