

(2024) 01 MP CK 0092

In the Madhya Pradesh High Court

Case No : Writ Petition No. 1494 Of 2024

Javed Khan And Others

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 22-01-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2024) 01 MP CK 0092

Hon'ble Judges : Subodh Abhyankar, J

Bench : Single Bench

Advocate : Priyvratt Singh Chouhan, Bharti Lakkad

Final Decision : Disposed Of

Judgement

Subodh Abhyankar, J

This petition has been filed by the petitioners under Article 226 of the Constitution of India, assailing the notice dated 08.1.2024 issued by the respondent No.3/ The Tehsildar, Tehsil and District-Agar Malwa (M.P.).

Counsel for the respondent has submitted that subsequently the Tehsildar has already passed the final order on 16.1.2024 after giving due opportunity of hearing to the petitioners and the aforesaid order is also appealable under Section 44 (1) of the Land Revenue Code.

Counsel for the petitioners has submitted that at least seven days time may be granted to the petitioners to approach the appellate authority and till the petitioners' appeal is decided by the appellate authority, the interim order passed by this Court on 17.1.2024 may be continued.

On due consideration of the rival submissions, this Court is inclined to dispose of the present writ petition with a direction to the petitioners to challenge the order dated 16.1.2024 before the appellate authority within seven days' time along with an application for stay. Till the petitioners' application for stay is decided by

the appellate authority, the interim order dated 17.1.2024 passed by this Court shall continue.

Needles to say that this Court has not reflected upon any merits of the case and the appellate authority shall decide the matter in accordance with law, on its own merits.

With the aforesaid, the petition stands disposed of.