

(2023) 12 MP CK 0028
In the Madhya Pradesh High Court
Case No : Writ Petition No. 20394 Of 2023

Lahrya

APPELLANT

Vs

Anuvibhagiyaadhikari And Others

RESPONDENT

Date of Decision : 07-12-2023

Acts Referred:

Constitution Of India, 1950 — Article 226
Madhya Pradesh Land Revenue Code, 1959 — Section 44

Citation : (2023) 12 MP CK 0028

Hon'ble Judges : Subodh Abhyankar, J

Bench : Single Bench

Advocate : Akhilesh Kumar Saxena, Shalabh Sharma

Final Decision : Dismissed

Judgement

Subodh Abhyankar, J

This petition under Article 226 of the Constitution of India has been filed by the petitioner against the order dated 31.03.2023 passed by the SDO, Sendhwa, District Barwani whereby, the petitioner has been sent in Civil Jail. Although, the petitioner has already been directed to be released by this Court vide order dated 06.10.2023 and the remedy of appeal is also available to the petitioner, this Court is not inclined to entertain this petition any further on account of existence of efficacious alternative statutory remedy under Section 44 of the M.P. Land Revenue Code.

Accordingly, the petition is hereby dismissed with liberty to the petitioner to file an appeal before the competent authority within two weeks' time. If the appeal is filed within the aforesaid period of time, the same shall be entertained by the appellate authority without raising any objection as to the limitation, after giving due opportunity of hearing to all the parties concerned.