

(2026) 01 MP CK 1658

In the Madhya Pradesh High Court, Gwalior Bench

Case No : Writ Petition No. 50657 Of 2025

Manoj Kumar Kansal (Jain) And Others

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 02-01-2026

Acts Referred:

Constitution Of India, 1950 — Article 226

Madhya Pradesh Land Revenue Code, 1959 — Section 248

Citation : (2026) 01 MP CK 1658

Hon'ble Judges : Vivek Jain, J

Bench : Single Bench

Advocate : Ankur Maheshwari, G K Agarwal

Final Decision : Disposed Of

Judgement

Vivek Jain, J

1. The present petition under Article 226 of the Constitution of India has been filed by the petitioners, being aggrieved by the proceedings initiated against them under Section 248 of the Madhya Pradesh Land Revenue Code, 1959, alleging that they are in unauthorized occupation of Government land.

2. Learned counsel for the petitioners submits that the petitioners were granted a licence to occupy the land vide Annexure P/3 dated 08.08.1985. It is further contended that the Patwari has erroneously submitted a report, on the basis of which the Tehsildar has initiated proceedings without verifying the official records and by blindly relying upon the Patwari's report, pursuant to which a notice has been issued to the petitioners.

3. Per contra, learned counsel for the State has vehemently objected, submitting that the petitioners have merely been served with a notice and no final order has been passed. It is contended that the petitioners can appear before the competent authority and place on record all documents in their possession.

4. Considering the rival submissions, it is directed that the petitioners shall appear before the Tehsildar and file a detailed reply, including the allotment letter dated 08.08.1985. The Tehsildar shall thereafter pass a final order, duly considering and dealing with all the issues raised by the petitioners, including the allotment letter dated 08.08.1985.

5. Till the final order is passed by the Tehsildar, no adverse action shall be taken against the petitioners. The petitioners shall intimate their Whatsapp numbers as well as their e-mail addresses in the reply, and a copy of the final order to be passed by the Tehsildar shall be transmitted to the petitioners on the WhatsApp numbers and e-mail addresses so provided. For a period of 30 days from the date of transmission of such copy of the order, the Tehsildar shall not take any coercive action against the petitioners, so as to enable them to avail further remedies as available under law.

With the aforesaid directions, the petition stands disposed of.