
(2023) 01 MP CK 0077

In the Madhya Pradesh High Court

Case No : Writ Petition No.1733 Of 2023

Rammilan Singh Yadav

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 20-01-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Madhya Pradesh Land Revenue Code, 1959 — Section 248

Citation : (2023) 01 MP CK 0077

Hon'ble Judges : Milind Ramesh Phadke, J

Bench : Single Bench

Advocate : Sanjay Kumar Sharm, G.K. Agrawal

Final Decision : Disposed Of

Judgement

Milind Ramesh Phadke, J

The present petition has been filed under Article 226 of the Constitution of India being aggrieved by the inaction on the part of respondents/authorities in not removing the encroachment made over the lands in question by respondents No.4 to 10.

It has been submitted by the counsel for the petitioner that the present petitioner is a Sarpanch of the Village Bamhroli, Tehsil Moh, Gram Panchayat, Ujhawal, District Bhind. There are government lands bearing Survey No.181, 177 and 243 situated in Village Bamhroli, Tehsil Moh, Gram Panchayat, Ujhawal, District Bhind and the Competent Authority had issued a notice dated 21.02.2022 under Section 248 of the MPLRC, 1959 holding that private respondents are in unauthorized possession over the said government lands. Despite issuance of notice and representation submitted by the petitioner to the authorities concerned, till date no action has been taken on the said representation for removal of encroachment over the lands in question. A limited prayer has been made by the counsel for the petitioner that in case, directions are issued to the

respondent to consider the said representation and pass a reasoned order, his grievance would be redressed.

Per contra, the petition is not opposed by the counsel for the State. Looking to the innocuous prayer made by the counsel for the petitioner, the present petition is disposed of with a direction to the respondents No.2 & 3 to decide the said representation in accordance with law and pass a reasoned and speaking order as early as possible.

With the aforesaid direction, petition is disposed off.

It is made clear that this Court has not expressed any opinion on the merits of the case.