

(2022) 11 MP CK 0089

In the Madhya Pradesh High Court

Case No : Writ Petition No. 26758 Of 2022

Rokadiya Hanuman Sadguru

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 22-11-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 11 MP CK 0089

Hon'ble Judges : Subodh Abhyankar, J

Bench : Single Bench

Advocate : Harshwardhan Sharma, Vineeta Phaye

Final Decision : Disposed Of

Judgement

Subodh Abhyankar, J

This petition has been filed by the petitioner under Article 226 of the Constitution of India against the order dated 14.11.2022 passed by the respondent No.3/ Tehsildar, Maheshwar, District-Khargone whereby, the petitioner, who is in possession of the cattle shed (Gaushala), is directed to be dispossessed from the said premises.

Learned counsel for the petitioner has submitted that, against the aforesaid order, petitioner has already preferred an appeal before the SDO, Maheshwar, District-Khargone under Section 44 of the M.P. Land Revenue Code along with an application for stay but, till date neither the application for stay has been decided nor the appeal is heard. Counsel has submitted that, in such circumstances, the petitioner was compelled to file the present writ petition.

Counsel for the respondents, on the other hand, has opposed the prayer and has submitted that since the petitioner's appeal is already pending, the same shall be decided expeditiously.

On due consideration of submissions and on perusal of record, this Court is

inclined to dispose of this writ petition with a direction to the respondent No.2/ S.D.O.(Revenue), Sub-Division Maheshwar, District-Khargone to decide the petitioner's appeal expeditiously within a period of four weeks' time from the date of receipt of certified copy of this order.

Till the petitioner's appeal is decided, operation of the impugned order dated 14.11.2022 shall remain stayed.

With the aforesaid, the petition stands disposed of.

C.c. as per rules.