

(2023) 10 MP CK 0005
In the Madhya Pradesh High Court
Case No : Writ Petition No. 25097 Of 2023

Vijay Sharma

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 03-10-2023

Acts Referred:

Constitution Of India, 1950 — Article 226
Madhya Pradesh Land Revenue Code, 1959 — Section 250(8)

Citation : (2023) 10 MP CK 0005

Hon'ble Judges : Anand Pathak, J

Bench : Single Bench

Advocate : Nirmal Sharma, Ravindra Dixit

Final Decision : Disposed Of

Judgement

Anand Pathak, J

1. The instant petition has been preferred by petitioner under Article 226 of the Constitution raising grievance primarily in respect of execution of order dated 14.06.2022 passed by Tehsildar Bairad, District Shivpuri.

2. It is the grievance of petitioner that despite an order passed in his favor under Section 250 (8) of MPLRC, 1959, no affirmative step has been taken by respondents to get the land evicted from encroachers so that petitioner may reap benefits of order dated 14.06.2022. An application has also been filed in this regard.

3. Learned counsel for respondent/State fairly submitted that as per Section 250 (8) of MPLRC, appropriate proceedings shall be ensured by Tehsildar.

4. Considering the submissions and the fact that Tehsildar has passed the order of eviction on 14.06.2022 but still no affirmative steps have been taken. It is the statutory duty of Tehsildar to ensure the eviction of land from encroachers.

5. Petitioner is at liberty to approach the concerned revenue officers in

accordance with Section 250 (8) of MPLRC which shall be taken care of by concerned revenue authorities as per law and concerned authorities shall ensure the compliance of order dated 14.06.2022, if not already set aside by the appellate court.

6. The instant petition stands disposed of with above observations.