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WP-13305-2022

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 14<sup>th</sup> OF OCTOBER, 2024WRIT PETITION No. 13305 of 2022*SATENDRA SINGH SENGER**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Akshat Kumar Jain - Advocate for the petitioner.

Shri Deepak Khot - Govt. Advocate for the respondents/State.

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ORDER

The present petition under Section 226 of the Constitution of India has been preferred seeking following reliefs:-

*"(i) That, respondent No.4/ forest officials be restrained from exercising the power vested under the Indian Forest Act 1927, over land in question i.e. agricultural land vide survey No. 105/1 area 0.209 (1 Biga), land vide survey No. 105/2 area 5.926(28.06 Biga) Madakpura District Shivpuri.*

*(ii) That, respondent No.4 and his subordinates may kindly be restrained to interfere peaceful possession of petitioner - i.e. agricultural land vide survey No. 105/1 area 0.209 (1 Biga), land vide survey No. 105/2 area 5.926(28.06 Biga) Madakpura Dist Shivpuri and also be directed not to encroach the land of petitioner and not to cause damage to boundary of field.*

*(iii) That, any other equitable relief in favor of petitioner which Hon'ble High Court may deemed fit, in the interest of justice, may kindly be allowed.*

*(iv) Cost of petition may kindly be awarded."*

2. At this stage, learned Govt. Advocate submits that the present



petition is not maintainable, as the petitioner has a remedy to approach the Civil Court for redressal of his grievance.

3. On the other hand, counsel for the petitioner prays for issuance of suitable direction to the respondents.

4. Heard the counsel for the parties and perused the record.

5. After going through the contents of the petition and after hearing the arguments advanced by the counsel for the parties, it appears that the present petition is wholly misconceived and involves a number of disputed questions of facts, which cannot be gone into in writ jurisdiction and for which alternative efficacious remedy is available with the petitioner to approach the Civil Court.

6. In light of the aforesaid, the petition stands **dismissed**.

E-copy/Certified copy as per rules and directions.

(MILIND RAMESH PHADKE)  
JUDGE