

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 5<sup>th</sup> OF AUGUST, 2022

WRIT PETITION No. 17276 of 2022

Between:-

VACHAN YADAV S/O SHRI AMAR  
SINGH YADAV, AGED - 38 YEARS,  
RESIDENT OF - GRAM IDORE  
THANA KADWAYA DISTRICT  
ASHOK NAGAR (MADHYA  
PRADESH)

.....PETITIONER

*(BY MS. EKTA VYAS – ADVOCATE)*

AND

1. M.P. SASHAN (GRAH VIBHAG),  
POLICE THANA KADWAYA,  
DISTRICT ASHOKNAGAR  
(MADHYA PRADESH)
2. ZILA MAGISTRATE, ZILA ASHOK  
NAGAR (MADHYA PRADESH)

.....RESPONDENTS

*(SHRI A.K. NIRANKARI – GOVERNMENT ADVOCATE FOR  
STATE)*

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*This petition coming on for hearing this day, the Court passed the  
following:*

**ORDER**

This petition under Article 226 of the Constitution of India has been filed against order dated 09.07.2022 passed by the District Magistrate, Ashoknagar in case number प्र.क./0041/जिला बदर/2022/111 (1-20), by which an order of externment has been passed against the petitioner.

The order under challenge is an appealable order and the petitioner has approached this Court without availing the statutory remedy of appeal.

No good ground is made out to by-pass the statutory appeal.

Accordingly, this petition is **dismissed** with liberty to the petitioner that if so desires, then he can assail the order of externment before the Appellate Authority.

It is made clear that in case if an appeal is filed, then while calculating the period of limitation, respondents shall exclude the period spent by the petitioner before this Court i.e. from 25.07.2022 till today.

**(G.S. AHLUWALIA)**  
**JUDGE**