

**IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR  
WP No. 16542 of 2024**

*(SMT. ANJANA AGARWAL Vs THE STATE OF MADHYA PRADESH AND OTHERS)*

**Dated : 25-06-2024**

*Shri Harshad Bahrani - Advocate for the petitioner.*

*Shri M.S. Jadoun - Government Advocate for the respondent/State.*

The present petition has been filed challenging the order dated 15.04.2024 (Annexure P/1) whereby recovery of an amount of Rs.4,74,670/- has been ordered against the petitioner.

Learned counsel for the petitioner submits that the case of petitioner is covered by the order which has been passed by Co-ordinate Bench of this Court in W.P.No.15447/2024.

In W.P.No.15447/2024, the Co-ordinate Bench of this Court is passed the following order:

"In the instant petition, the challenge has been made to the order dated 15.04.2024 (Annexure P/1) passed by the Sub-Divisional Officer (Revenue), Ganjbasoda, District Vidisha; whereby the recovery of Rs.2,61,299/- has been ordered to be recovered from the petitioner.

2. Learned Government Advocate submits that against the impugned order, the petitioner is having efficacious, statutory and alternative remedy of filing an appeal under Section 17 of Madhya Pradesh Public Distribution System (Control) Order, 2015, therefore, it is prayed that the petitioner may be relegated to avail an alternative, as is available under the law.

3. Taking into consideration the availability of alternative efficacious remedy of appeal, the petitioner is directed to file an appeal before the appellate authority within 10 working days from today.

4. If such an appeal is filed by the petitioner before the appellate authority within the stipulated time period, the appellate authority shall decide the same as expeditiously as possible within a period of four weeks from the date of filing of the appeal and the question of limitation shall not come in the way.

5. The petitioner shall also be at liberty to file an application for grant of stay along with the appeal before the appellate authority.

6. However, till the application for stay is decided by the appellate authority, it is directed that no coercive action be initiated against the petitioner.

7. With the aforesaid directions/observations, this petition is **disposed of.**"

Maintaining parity, this petition is also disposed of in similar terms and the petitioner is directed to file an appeal before the authority within 10 working days from today which shall be decided by the Appellate Authority within a period of four weeks from the date of filing of the appeal without adverting on the question of limitation. Till the decision of application for stay by the Appellate Authority, no coercive action shall be initiated against the petitioner.

With the aforesaid direction, the writ petition stands **disposed of.**

(VIVEK JAIN)  
JUDGE

Monika

