

**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
WP No. 16545 of 2024**

(RAMKUMAR AND OTHERS Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 25-06-2024

Shri Prashant Singh Kaurav, learned counsel for the Petitioner .

Shri M.S. Jadon, Govt. Advocate for the respondent/State.

This petition calls into question the public notice Annexure P/1 issued u/s. 339 of the M.P. Municipalities Act whereby respondent No. 2- Collector Distt. Bhind has proposed to take over the management of the land comprising of various survey numbers as mentioned in the said notice on the allegations that illegal colonisation on the said land is being carried out.

Learned Counsel for the petitioners submits that the said public notice mentions the names of certain persons as *Bhoomiswami* of the said land. However, the petitioners are actual owners of the said land described in the public notice Annexure P/1. In other words, it is the case of the petitioners that the public notice issued u/s. 339 of M.P. Municipalities Act has been issued wrongly treating the lands to be owned by some other persons, though the lands are actually owned by the petitioners. To bolster his submission, learned Counsel for the petitioner has relied at khasra entries Annexure P/2.

Upon perusal of the record, it is seen that the petitioners have already filed representation/reply before respondent No. 2 wherein the aforesaid fact has been mentioned and there is further denial of any colonization of the land in question. The matter is stated to be pending for further action after submission of the reply by the petitioners.

Learned Counsel for the State submits that the petitioners are prematurely apprehensive because the authorities shall certainly take into consideration the

reply submitted by the petitioners.

Considering the factual matrix of the matter, this petition is disposed of directing respondent No. 2 to take into account the reply Annexure P/2 filed by the petitioners before taking the final decision and proceeding ahead in the matter. The petitioners shall be heard before any adverse order is passed against them.

With the aforesaid direction petition is disposed of.

(VIVEK JAIN)
JUDGE

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