

1  
**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE PRANAY VERMA**

**ON THE 8<sup>th</sup> OF MAY, 2024**

**MISC. PETITION No. 3436 of 2023**

**BETWEEN:-**

1. SHANKARSINGH S/O PIRUSINGH, AGED ABOUT 52 YEARS, OCCUPATION: AGRICULTURIST VILLAGE MUHDI, TEHSIL MAHIDPUR, UJJAIN (MADHYA PRADESH)
2. MANOHARLAL S/O SHANKAR SINGH, AGED ABOUT 32 YEARS, OCCUPATION: AGRICULTURIST VILLAGE MUHI TEHSIL MAHIPUR DISTRICT UJJAIN (MADHYA PRADESH)

**.....PETITIONER**

***(BY SHRI ATISHAY DHAKER - ADVOCATE)***

**AND**

1. JITENDRA S/O SHIVLAL BAROD, AGED ABOUT 51 YEARS, JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN (MADHYA PRADESH)
2. BANESINGH S/O NANDRAM, AGED ABOUT 52 YEARS, JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN (MADHYA PRADESH)
3. PRATAP THR LRS RAMUBAI W/O BANESINGH, AGED ABOUT 50 YEARS, JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN (MADHYA PRADESH)
4. PRATAP THR LRS SANDEEP S/O BANESINGH, AGED ABOUT 22 YEARS, JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN (MADHYA PRADESH)
5. PRATAP THR LRS SUMRAN S/O BANESINGH CHAUDHARY, AGED ABOUT 20 YEARS, JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN (MADHYA PRADESH)
6. PRATAP THR LRS KAALI D/O BANESINGH CHAUDHARY, AGED ABOUT 18 YEARS,

JAILYAKHEDI, TEHSIL MAHIDPUR, DIST. UJJAIN  
(MADHYA PRADESH)

7. SHYAMUBAI W/O RAMCHANDRA, AGED ABOUT 55 YEARS, RASULPURA TEHSIL MAHIDPUR UJJAIN (MADHYA PRADESH)
8. SITABAI W/O GORDHANLAL, AGED ABOUT 56 YEARS, VILLAGE DELCHI TEHSIL MAHIDPUR UJJAIN (MADHYA PRADESH)
9. KESARBAI W/O BHAWARLAL, AGED ABOUT 50 YEARS, VILLAGE ROHIDA TEHSIL MAHIDPUR UJJAIN (MADHYA PRADESH)
10. RESHAMBAI W/O LATE NANDRAM JI CHAUDHARY, AGED ABOUT 85 YEARS, VILLAGE JAILYAKHEDI TEHSIL MAHIDPUR DIST. UJJAIN (MADHYA PRADESH)
11. STATE OF MADHYA PRADESH THROUGH DISTRICT MAGISTRATE UJJAIN (MADHYA PRADESH)

.....RESPONDENTS

*(RESPONDENT NO.1 BY SHRI HARISH JOSHI - ADVOCATE AND  
RESPONDENT NO.11/STATE BY MS. GEETANJALI CHAURASIA - PANEL  
LAWYER)*

*This petition coming on for admission this day, the court passed the following:*

**ORDER**

1. Learned counsel for the petitioners prays for withdrawal of the petition with liberty to file an application before the trial Court itself under Order 6 Rule 17 of the CPC for amendment in the application under Order 21 Rule 97, 101 of the CPC preferred by the petitioners.

2. Prayer is allowed and the petition is dismissed as withdrawn with the liberty prayed for. However it is made clear that this Court has not expressed any opinion on the merits of the application which may be filed by the petitioners and which if filed shall be decided by the executing Court on its own

merit.

**(PRANAY VERMA)**  
**JUDGE**

ns

