

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
WP No. 35006 of 2024
(MEDHA PATKAR Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 17-02-2026

Petitioner No.5 - Ms. Medha Patkar is present in person.

*Shri Pradyumna Kibe, Government Advocate for the respondent
No.1/State.*

Shri Kushal Goyal, Advocate for the respondent No.2.

Shri H. Y. Mehta, Advocate for the respondent No.3.

The present petition is filed on behalf of the displaced persons under Sardar Sarovar Project (SSP) seeking following reliefs:-

"a. The petitioners most humbly pray for the issuance of the writ of mandamus directing the respondents as the concerned authorities to

i. Complete the registration of house plots allotted to the Sardar Sarovar affected families, in time bound manner and without levying Registration cost and stamp duty as per the R&R policy for Narmada Projects.

ii. The PAFs should include all those affected & to be affected up to the old (legally determined by CWC) BWLs whose houses/shops are already acquired & the actual BWLs reached in 2023, if it's higher than the old BWLs, acquiring house/shop, if pending & necessary, as eligible for allotment of house plots & registration of those.

b. To Conduct a proper & perfect survey of the resettled & to be resettled PAFs related to house plot allotment & finalise the R&R site plan & map, as the basis for granting land title to the Sardar Sarovar PAFs as per legal entitlement.

c. To take necessary steps on the issue of PAFs who have illegally transferred the house plots to non-oustees or other PAFs, as per applicable laws, ensuring natural justice.

d. To direct and/ or take action against the officials who were duty bound to follow the due process of law and ensure legal

ownership of house plots to the PAFs with houses and/or shops acquired and/or affected / to be affected by SSP and monitor the status of each and every rehabilitation site.

e. To direct the respondents to present a time bound plan for next 6 months, within few weeks and regular monthly progress report to this court, with a copy to the petitioners and keep the case open for hearing on the same, and if necessary, on affidavits/applications that may be filed by the petitioners.

f. To grant any other order the court deems fit in the interest of justice, equity and fairness, protecting Right to Life of all the Sardar Sarovar PAFs under Article 21 of the Indian Constitution."

2. Vide order dated 25.09.2025, this Court passed the following order:-

"Petitioner has filed number of allotment letters issued to the project affected family collectively as Annexure P-5. These allotment letters were issued in the year 2002 by Rehabilitation Officer, Sardar Sarovar Project of the Districts Dhar, Badwani, Khargone and Alirajpur. Till date these allotments letter have not been registered under the provisions of the Registration Act and the Stamp Act to give a complete title to these project affected persons.

Respondents have not come up with any policy as to how these certificates will be treated as title document. In absence of registration, it cannot be used to take loan or sale, mutation and demarcation etc. In these certificates only the area and plot number on the land are mentioned. There is no such boundaries or complete development plan to show the exact location of this piece of land.

In the absence of these details and absence of registration, it will lead to generation of thousands of civil and revenue disputes in future. Even in the case of death of the head of the family, legal heirs may face problem in case of partition, demarcation and mutation. Now more than 22 years have been passed none of the project affected persons have been given complete title document by the respondents.

Instead of calling the Collector of all the four districts, Chairman of Narmada Valley Development Authority and Executive Member of Narmada Control Authority, we directly call the Additional Chief Secretary Dr. Rajesh Rajora to appear before this Court on 14.10.2025.

Mr. Rajora is directed to go through the entire writ petition specially the issues in respect of the registration of so called title document i.e. allotment letter and come up with a proposal as how these certificates issued since last 20-21 years can be registered.

Shri R. Vasudevan, Director (Civil) E & R Wing, Narmada Control Authority who is present in Court is directed to brief Dr. Rajesh Rajora in advance, so that consultation with the Collector of all the four districts, he will appear before this Court with effective reply. The matter is required to be taken on priority basis.

List this matter on 14.10.2025.

Shri Sonal Gupta, learned Additional Advocate General is directed to communicate this order to the Additional Chief Secretary Dr. Rajesh Rajora, Govt. of Madhya Pradesh."

3. In compliance to the said order, Dr. Rajesh Rajora, Additional Chief Secretary, Govt. of Madhya Pradesh appeared through video conferencing before this Court on 14.10.2025 and the Court passed the following order:-

"In compliance of the order dated 25.09.2025, Shri Rajesh Rajora, Additional Chief Secretary, Govt. of Madhya Pradesh, appeared through V.C. He admits that the land allotment letters issued to the displaced persons have not been registered by the registering authority till date. He also submits that the State Government has made a comprehensive plan of survey of the entire land of the State of M.P. for the purpose of demarcation, registration, mutation, etc. and in such a survey, the case of these displaced persons will be considered on a priority basis.

02. We are not impressed by such a proposal. These thousands of displaced persons were given land either in lieu of compensation or under the Rehabilitation policy in the year 2002 in compliance with the directions issued by the Hon'ble Apex Court. Although the contents of this allotment letter give them a bhumiswami right, but it is not a registered document as required under Section 17 of the Indian Registration Act, 1908, because of which they will not get the benefits like mutation, demarcation, partition mortgage, sale, transfer, etc. If this document is destroyed or misplaced, it would be very difficult to get a fresh allotment letter. Therefore, these cases are liable to be taken on a priority basis by the Collector of each District. Hence, we hereby issue the following directions:

i. The Collector, Districts Barwani, Khargone, Alirajpur and

Dhar are hereby directed to constitute a Committee comprising Sub Divisional Officer, Tehsildar and Sub Registrar (Stamps).

ii. The above Committee shall do the registration of the sale deeds in favour of lands' oustees or in the names of legal heirs, after registration, mutation of their names in the revenue record and correction in the revenue map. Thereafter, the concerned local body, Panchayat or Municipalities, as the case may be, shall enter the names in its record. iii. The NVDA and Narmada Control Authority shall authorise Competent Officer, who shall be member of the Committees constituted by the Collector.

03. There shall be proper identification of the land in question, like area/size, measurement, direction and boundaries in the title deed to be executed and registered in order to avoid further civil or revenue disputes in the future. The aforesaid direction be complied with on a priority basis by organizing a camp in a district headquarters. It shall be the primary responsibility of Shri Rajesh Rajora, Additional Chief Secretary, Govt. of Madhya Pradesh to follow the compliance of the above directions.

04. Petitioner - Ms. Medha Patkar is directed to do the coordination between these land oustees and the committees for effective and speedy compliance of the aforesaid directions.

05. Initially, a period of two months is granted to complete the registration and other works; thereafter, this Court shall examine other issues raised by the petitioner.

06. The Collectors of Districts Barwani, Khargone, Alirajpur and Dhar are directed to submit a compliance report before this Court on the next date of hearing.

List this case on 05.01.2026."

4. On 05.01.2026, the matter was again taken up before this Court and after hearing learned counsel for the parties, fixed the case for 09.02.2026 to examine the progress of the Committee and also to hear the other issues.

5. Matter was taken up today. A progress report has been filed on behalf of respondent No.2, wherein it has been stated that the SOP has been framed on 03.02.2026 and the registration work has already commenced and according to the respondent No.2, the same is likely to take six months time. The order was passed on 14.10.2025. It took around more than two months

to frame the SOP by the respondents and thereafter, the registration work has to take further six months time. Prima-facie, we are of the view that the matter has not been taken up in a promptitude manner, as it was expected considering the fact that the petition is filed on behalf of the affected and displaced persons under SSP.

6. In view of the aforesaid, we direct that Dr. Rajesh Rajora, Additional Chief Secretary, Govt. of Madhya Pradesh shall address this Court on 26.02.2026 through video conferencing in respect of slow progress in the registration and survey work and also on the other issues.

List the matter on 26.02.2026.

(VIJAY KUMAR SHUKLA)
JUDGE

(ALOK AWASTHI)
JUDGE

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