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WP-14550-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 2nd OF MAY, 2025WRIT PETITION No. 14550 of 2025*HARITPAL SINGH HORA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Shekhar Sharma, learned Senior Advocate along with Ms. Amrita Joshi,
learned Advocate for the petitioner .*

Shri Kushal Goyal -GA appearing on behalf of Advocate General.
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ORDER

1] This petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

"(i) This Hon'ble Court may be pleased to call for the entire revenue record pertaining to the matter.

(ii) This Hon'ble Court may be pleased to issue a writ in the nature of mandamus with a direction to the respondents to take steps on the application filed by the petitioner dated 16/04/2025 (Annexure-P/3) and if required provide adequate protection to the petitioner against any illegal or unauthorized dispossession.

(iii) Any other relief which this Hon'ble Court deems just and proper in view of the aforementioned facts and circumstances in the favour of the petitioner."

2] The petitioner's grievance is in respect of land situated at Khasra No. 439/1/2 admeasuring area 0.045 hectares, situated at Bicholi Hapsi, District Indore (M.P.) which he owns, and, he is being pressurised to remove the tin shed which, he has constructed and as per knowledge of the petitioner the Town and Country Planning has also provided its approval to a proposed route by passing the petitioner's land but the locals are still threatening the petitioner to vacate the premises.



3] In the petition, it is also mentioned that one Sanjay Mehta with *malafide* intention has also initiated proceedings under Section 131 of the M.P. Land Revenue Code, 1959 on some false pretext. Thus, it is submitted that the petitioner may be provided adequate protection against any illegal or unauthorized dispossession.

4] Counsel for the respondent/State on the other hand has opposed the prayer.

5] Having considered the rival submissions and on a bear perusal of the documents filed by the petitioner it is apparent that various disputed question of facts are also involved in the case by certain person including one Sanjay Mehta S/o Swaroop Chand Mehta, this Court is of the considered opinion that under the facts and circumstances of the case, the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked as the petitioner has an efficacious alternative statutory remedy available in the Civil Court, and thus, no case for interference is made out.

6] Accordingly, the petition is hereby dismissed. However, with liberty to the petitioner to take recourse of such remedy as available to him under law.

7] It is made clear that this Court has not reflected upon the merits of the case.

8] The petition stands **dismissed**.

(SUBODH ABHYANKAR)
JUDGE