



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 14th OF AUGUST, 2025

WRIT PETITION No. 32568 of 2025

*SHRI KRISHNA MATSYA UDYOG SAHAKARI SANSTHA
MARYADIT BASAI*

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ayushyaman Choudhary, learned counsel for the petitioner.

Dr. Amit Bhatia, learned Govt. Advocate for the respondents/State.
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ORDER

1. By this petition preferred under Article 226 of the Constitution of India the petitioner has challenged the impugned order dated 08.07.2025 (Annexure P/1) passed by respondent No.1, the resolution dated 30.09.2024 (Annexure P/2) and the letter dated 13.11.2024 (Annexure P/18).

2. Learned counsel for the petitioner submits that the petitioner has already preferred an appeal against the order dated 08.07.2025 (Annexure P/1) before the Commissioner, Ujjain Division, Ujjain but the said post is lying vacant due to which the appeal and the stay application filed along with the same is not being considered hence the petitioner has been forced to approach this Court.

3. Learned counsel for the respondents/State has submitted that though the post of the Divisional Commissioner is vacant but the matter would be taken up by some other authority who is having charge of the said



post be it the Additional Commissioner or any other officer.

4. Thus in the available facts of the case, it is directed that the Additional Commissioner, Ujjain Division, Ujjain should advert to the appeal along with the stay application of the petitioner if already preferred as on date. He shall decide whether he has the authority to advert to the appeal or some other authority would be required to advert to the same. If he is of the opinion that it is some other authority who has to advert to the same then he shall send the appeal to him forthwith.

5. Till consideration of the stay application of the petitioner, if already filed, or till filling up of the post of the Divisional Commissioner, the impugned order dated 08.07.2025 (Annexure P/1) shall remain in abeyance if not already executed.

6. With the aforesaid direction, the petition stands disposed off.

7. It is however made clear that this Court has not expressed any opinion on merits of the case.

(PRANAY VERMA)
JUDGE