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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA**

ON THE 21st OF FEBRUARY, 2024

WRIT PETITION No. 22521 of 2022

BETWEEN:-

**RAMBAHORI PATEL S/O GOPAL PATEL, AGED ABOUT 35
YEARS, OCCUPATION: AGRICULTURIST R/O VILLAGE
KHARMSEDA, TAHSIL AMARPATAN, DISTT. SATNA
(M.P.) (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI VIDYA PRASAD - ADVOCATE)

AND

- 1. THE STATE OF MADHYA PRADESH THROUGH
THE SECRETARY REVENUE DEPARTMENT
VALLABH BHAWAN BHOPAL (M.P.) (MADHYA
PRADESH)**
- 2. THE COLLECTOR SATNA DISTRICT SATNA
(MADHYA PRADESH)**
- 3. THE SUB DIVISIONAL OFFICER AMARPATAN
DISTRICT SATNA (MADHYA PRADESH)**
- 4. THE TAHSILDAR TAHSIL AMARPATAN DISTRICT
SATNA (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI NAVEEN DUBEY - GOVERNMENT ADVOCATE)

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

ORDER

This petition under Article 226 of Constitution of India has been filed
seeking following relief(s):-

"(i) It is, therefore prayed that this Hon'ble Court may

kindly be pleased to issue a direction to the respondents to compliance the order dt.28.01.2011 in case No.19-A68/2010-11 and 11.11.2021 case No.37/A68/2019-20 and case No.38/A68/2019-20, in the nature of justice.

(ii) Any other relief, which this Hon'ble Court may deems fit and proper in favour of the petitioner may also be given, in the interest of justice."

2. At the outset, it is submitted by counsel for petitioner that petitioner has no vested/personal interest in the property in dispute and in fact the government's land has been encroached upon by the private persons. However, it is fairly conceded that the persons who are alleged to have encroached upon the government's land has not been impleaded as respondents in the present case.

3. Further, in view of the fact that the petitioner claims that he has no interest in the disputed property, then this Court is of considered opinion that petition in present form is not maintainable.

4 . Faced with such a situation, the counsel for petitioner seeks permission of this Court to withdraw this petition with liberty to file a writ petition in the nature of Public Interest Litigation.

5. With aforesaid liberty, the petition is **dismissed as withdrawn.**

(G.S. AHLUWALIA)
JUDGE