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

**BEFORE  
HON'BLE SHRI JUSTICE VIVEK AGARWAL  
&  
HON'BLE SHRI JUSTICE PREM NARAYAN SINGH  
ON THE 22<sup>nd</sup> OF MAY, 2023**

**WRIT PETITION No. 11920 of 2023**

**BETWEEN:-**

1. SARWA ADIWASHI SAMAJ DISTRICT BALAGHAT (MADHYA PRADESH) THROUGH ITS SOCIAL WORKER HEMMAL DHURWEY, S/O HEERA SINGH DHURWEY AGED ABOUT 52 YEARS, OCCUPATION SOCIAL WORKER, R/O GRAM KATNGI WARD No.06, KATNGI TINGIPUR, DISTRICT BALAGHAT (MADHYA PRADESH).
2. HARNAME MERAVI S/O MAHERALAL MERAVI, AGED ABOUT 54 YEARS, OCCUPATION: SOCIAL WORKER, WARD NO. 02 GRAM SAYAL POST BAHKAL IN BIRSA SAYAL DISTRICT BALAGHAT (MADHYA PRADESH)

**.....PETITIONER**

***(BY SHRI G.S. UDDEY - ADVOCATE)***

**AND**

1. THE STATE OF MADHYA PRADESH THROUGH ITS SUB DIVISIONAL MAGISTRATE BAIHAR R/O DISTRICT BALAGHAT (MADHYA PRADESH)
2. COLLECTOR BALAGHAT DISTRICT BALAGHAT (MADHYA PRADESH)
3. TAHSILDAR BALAGHAT DISTRICT BALAGHAT (MADHYA PRADESH)
4. SUPERINTENDENT OF POLICE BALAGHAT, DISTRICT BALAGHAT (MADHYA PRADESH)
5. FOREST DIVISIONAL OFFICER BALAGHAT DISTRICT BALAGHAT (MADHYA PRADESH)

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6. POLICE STATION IN CHARGE PARKHWARA  
BALAGHAT DISTRICT BALAGHAT (MADHYA  
PRADESH)
  7. ALL INDIA TRIBAL DEVELOPMENT COUNCIL  
BRANCH TAHSIL BAIHAR DISTRICT BALAGHAT  
(MADHYA PRADESH)
  8. MP ADIVASI DEVELOPMENT COUNCIL TAHSIL  
B I R S A , DISTRICT BALAGHAT (MADHYA  
PRADESH)
  9. YOGESH SHARANGAT PRESIDENT VANVASAI  
SHRIRAM SEVA SAMITI AREA PARASWARA  
DISTRICT BALAGHAT (MADHYA PRADESH)

.....RESPONDENTS

*(BY SHRI AMIT SETH - DEPUTY ADVOCATE GENERAL FOR THE  
RESPONDENTS Nos.1 TO 6/STATE.)*

.....

*This petition coming on for admission this day, JUSTICE VIVEK  
AGARWAL passed the following:*

**ORDER**

There is no authorization in favour of the petitioners by the so called Sarv Adiwasi Samaj, District Balaghat to file this writ petition. Learned counsel for the petitioners is not in position to answer the queries of this Court. While petitioners' counsel was reading Annexure P/1, this Court wanted to know in categorical terms that what are the customs associated with the 'Badadev Bhagwan Sthal', which is a symbol of tribal faith and how those customs, traditions and beliefs are in conflict with the proposed organization of Kathawachan in the hands of some Kathawachak. Instead of answering the questions learned counsel for the petitioners, lost his cool and started showing tantrums. However, in absence of these two fundamental questions regarding locus of the petitioners, which should have been substantiated by filing a proper authorization from the concerned Sarv Adiwasi Samaj duly supported with constitution of the said organization and also in absence of any pleadings

to demonstrate that how 'Kathawachan', is going to be in conflict with the beliefs, traditions and faith of the tribal community who are worshipping 'Badadev Bhagwan', at village Bhadukota, this petition is not properly constituted to be given a hearing.

Petition is returned with liberty to file properly constituted petition, if petitioners so desire.

**(VIVEK AGARWAL)**  
**V. JUDGE**

Vin\*\*

**(PREM NARAYAN SINGH)**  
**V. JUDGE**

