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WA-2315-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 23rd OF SEPTEMBER, 2025

WRIT APPEAL No. 2315 of 2025

JAWAHARLAL

Versus

DHIRAJ SINGH AND OTHERS

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Appearance:

Shri Sankalp Kochar - Advocate for appellant.

*Shri Arpan Pawar - Senior Counsel with Shri Chiranjeev Sharma -
Advocate for respondents No.1 to 4.*

Dr. S.S. Chauhan - Government Advocate for respondents No. 5 & 6/State.
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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

Learned counsel for appellant submits that the appellant was never served with the notices issued by the Court and even the service report shows that appellant could not served. However, the impugned order was passed without hearing the appellant, who was the main contesting respondent in the writ court against whom an order has been passed without hearing and he was not even proceeded *ex parte* by the Court prior to passing of the impugned order.

Issue notice.

Notice is accepted by learned counsel appearing for writ petitioners i.e. respondents No.1 to 4, the petitioners in the writ petition as also by counsel for respondents No.5 and 6.



We note that respondents No.7 to 18 are private respondents and as per learned counsel for the parties they were also not served in the writ petition.

Learned Senior Counsel appearing for the respondents No. 1 to 4 (petitioners in the writ petition) concedes that the office report shows that the appellant could not be served by the Court process or even by the substituted mode.

Since the appellant could not serve in the writ petition, we are of the view that the impugned order is not sustainable and, is accordingly, liable to be set aside on account of breach of natural justice.

In view of the above, the impugned order dated 20.06.2025 is set aside. The writ petition is restored and remitted to the learned Single Judge, who shall dispose of the same in accordance with law.

It is clarified that this Court has neither considered nor commented on the merits of the contentions of either party or on the merits of the order dated 20.06.2025 and same has been set aside solely on the ground of non compliance of the principles of natural justice.

The writ petition shall be listed before the Roster Bench.

Appeal is accordingly, disposed of.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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