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WA-2317-2025

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 15th OF OCTOBER, 2025

WRIT APPEAL No. 2317 of 2025

KRISHNA KUMAR OTIYE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH THROUGH ITS AND OTHERS

.....
Appearance:

Shri Shailesh Tiwari - Advocate for appellants.

Shri Anubhav Jain - Government Advocate for respondents/State.
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ORDER

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

Appellants are aggrieved by order dated 10.02.2025 whereby the Writ Petition filed by respondents No.7 to 10 was disposed of directing the Chief Executive Officer Shahpura, Distt. Dindori to take action based on an enquiry report dated 27.08.2024.

2. Learned counsel for appellants submits that appellants were never put to notice about the said inquiry nor were given a copy of the inquiry prior to an action being taken against the appellants. He submits that respondents no. 7 to 10 had no locus and had filed the subject petition as a Public Interest Litigation and he was not even put to notice by the Writ Court. He, however fairly states that the inquiry report has already been acted upon and final order has been passed against the appellants which has been assailed by the



appellants in appropriate proceedings. He submits that there is a likelihood that the cognizance taken by this Court through the subject Writ Petition and the order passed is likely to affect the result of the challenge made by the appellants to the said action taken pursuant to the inquiry.

3. Apprehension expressed by learned counsel for the appellants is misplaced for the reason the Court has itself recorded in the impugned order dated 10.02.2025 that it does not express any opinion on the merits of the case as to what action is to be taken. Since the impugned order is an order passed without notice to the appellants, the Competent Authority shall take action, if so warranted in accordance with law without being influenced by the subject Writ Petition or the order passed thereon. It would be open to the appellants to defend the proposed action taken against the appellants in accordance with law.

4. Appeal is disposed of in view of the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

m/-