



1

WA-488-2025

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 29th OF OCTOBER, 2025

WRIT APPEAL No. 488 of 2025

LAKHSMINARAYAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Shivam Hazare - Advocate for appellant.

Shri Ritwik Parashar - Government Advocate for respondents No.1 to 4/State.

Shri B.M. Prasad - Advocate for respondents no.5 to 8.
.....

ORDER

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

Appellant impugns order dated 31.01.2025 whereby the learned Writ Court has noticed that the dispute is a private dispute and state is not involved in the said dispute and remedy of the appellant is before a Civil Court.

2. Learned counsel for the appellant submits that the appellant had impugned an order passed by the Revenue Authorities whereby the proceedings had been remitted by the Collector to the Tehsildar. He submits that his remedy is under the M.P. Land Revenue Code, 1959 and was seeking right way in terms of Section 131 of the said Code.

3. It is not in dispute that in the Writ Petition, petitioner had impugned order dated 14.11.2024 passed by the Collector in proceedings initiated by the petitioner under the Land Revenue Code seeking rights under Section 131 of the said Code. Consequently, proceedings under the Land Revenue Code were maintainable and



a petition impugning the order dated 14.11.2024 was maintainable before the Writ Court. The Writ Court has erroneously considered the dispute to be a pure civil dispute of a private nature and relegated the parties to Civil Courts which is not the correct position in law. Accordingly, we set aside the order dated 14.11.2024 and restore the Writ Petition with a request to the learned Single Judge to consider the Writ Petition on merit after considering the submission of both the private parties.

4. Learned counsel appearing for respondents No.5 to 8 submits that respondents No. 5 to 8 are willing to provide access to the appellant from an alternative route no.2 other than the route no. 1 claimed by the appellant because it is more viable to respondents no. 5 to 8. It would be open to the learned Single Judge to consider the proposal of respondents no. 5 to 8 in accordance with law.

5. List for directions before the learned Single Judge on 11th November, 2025.

6. *Status quo* as obtaining today shall be continued till the petition is taken up by the learned Single Judge.

7. Appeal is disposed of in the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

m/-