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WA-798-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 26th OF MARCH, 2025

WRIT APPEAL No. 798 of 2025

RAMBAHOR PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri A.K. Singh, learned counsel for the appellant.

Shri Anubhav Jain, learned Government Advocate for respondent/State.

Shri R.P. Singh, learned counsel for respondent No.5.
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ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

The present appeal has been filed seeking the following reliefs:

(i) This Hon'ble Court may kindly be pleased to quash the order dated 11-02-2025 passed in W.P.No.4096/2025 (Annexure A/1) as well as all the consequential orders may kindly be quashed or respondent nos. 3 and 4 be directed to take an decision on the objection raised by the appellant without influencing the order passed by the writ court by a speaking order.

(ii) This Hon'ble Court be further pleased to pass any such other orders as this Hon'ble Court may deem fit under the circumstances of the case.

2. It is not in dispute that the appellant was not made party before the Writ Court and he submits that if the demarcation is carried out, it will prejudice the right of the appellant which may cause irreparable loss to the appellant.



3. On the other hand, learned counsel for the respondent submits that if the demarcation is carried out, certainly the concerned Tahsildar shall issue notice and give opportunity of hearing to the appellant also.

4. As informed by the parties, demarcation has already been carried out and confirmation is not yet made.

5. We hereby **dispose of** the present appeal as confirmation has not yet taken place, however, it is made clear that if any order is adverse to the interest of the appellant, the respondent shall not take coercive steps for two weeks from the date of confirmation and the appellant will be at liberty to challenge the same before appropriate forum.

6. The objection filed by the appellant shall also be considered while confirming the demarcation.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

RS