



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 22nd OF APRIL, 2025

WRIT APPEAL No. 839 of 2025

POORANLAL AND OTHERS

Versus

S.D.O. AND OTHERS

.....
Appearance:

Shri Devdatt Bhawe - Advocate for appellant.

Dr. S.S. Chouhan - Government Advocate for respondents/State.
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ORDER

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

1. The writ petitioner initially filed Miscellaneous Petition No. 4016/2024. After arguments were heard at length, learned counsel for the petitioner sought permission to withdraw the said petition with liberty to avail the alternative remedy available under law. The Court, accordingly, allowed the withdrawal, granting such liberty.

2. Subsequently, the petitioner filed Writ Petition No. 27027/2024. However, the same was dismissed with liberty to the petitioner to seek review of the order, in case the earlier miscellaneous petition had been permitted to be withdrawn with liberty to file a writ petition.

3. Pursuant to the above, the petitioner filed Review Petition No.



121/2025. However, the said review petition was also dismissed as withdrawn.

4. In view of the above sequence of events, the petitioner is placed in a catch-22 situation, despite having no alternative remedy available under law, except under Article 226 of the Constitution.

5. Accordingly, in the interest of justice, the order dated 17.09.2024 passed in Writ Petition No. 27027/2024 is hereby set aside. The matter is remanded to the learned Single Judge, who is requested to decide the writ petition afresh on its own merits, in accordance with law.

6. Writ Appeal is disposed of with the above direction.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

Praveen