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WA-958-2025

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 15th OF APRIL, 2025

WRIT APPEAL No. 958 of 2025

*M/S SHRI RAM RICE MILL. VILLAGE PATEHRA POST SEMARIYA
DISTRICT REWA M.P.*

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Amitabh Gupta - Advocate for the appellant.

Shri Ritwik Parashar - Govt. Advocate for respondent No.1/State.

Shri Abhimanyu Singh - Advocate for respondent Nos.2 to 6.

Shri Himanshu Mishra - Advocate for respondent Nos.7 & 8.
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ORDER

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

The appellant has prayed for following relief in this writ appeal:-

(i) *Allow the present Writ Appeal and set aside the order dated 25/03/2025 passed by the Hon'ble writ court in Writ Petition No. 1565 of 2025, contained in Annexure-A/1.*

(ii) *Hold that this Hon'ble Court at Jabalpur has the requisite territorial jurisdiction to entertain the writ petition;*

(iii) *Remand the matter for adjudication on merits.*

(iv) *Issue any other writ order or direction as this Hon'ble Court deems fit and proper, in the interest of justice.*

2. Writ Petition No.1565/2025 filed by the appellant herein has been



dismissed by the writ Court on the ground of jurisdiction by stating that no cause of action has arisen in the jurisdiction of this Court.

3. Shri Himanshu Mishra, learned counsel for respondent Nos.7 & 8 has raised objection that the cause of action is not *qua* the agreement and other subsequent events. However, it is related to the deletion of entry which were made at Shajapur and the go-down of the appellant is in the territorial jurisdiction of Indore. Thus, the present appeal is not maintainable and deserves to be dismissed.

4. It is not in dispute that agreement with the state authorities was executed at District Rewa. The rice mill of the appellant is located at District Rewa. The paddy for milling was supplied from the aforesaid place. The head office of the official respondents is established at Bhopal. All official *inter-se* communications were made from Bhopal Head Office and order from District Manager Shajapur was received at Rewa.

5. It is also not in dispute that the paddy was supplied from the territorial jurisdiction of this Bench i.e. Rewa to Shajapur which comes under the jurisdiction of Indore Bench of this High Court.

6. It is also not in dispute that the entries in question were made at Bhopal which is within territorial jurisdiction of this Bench but admittedly the supplies were made by appellant to a place within the territorial jurisdiction of Indore Bench. Moreover, the dispute is as to 420 bags of rice being supplied by appellant or respondent No.7, both of which made supplies from Rewa.

7. Accordingly, in view of above, we are of the considered opinion



that partly cause of action has already taken place in the territorial jurisdiction of this Bench. Same has also been held by a Co-ordinate Division Bench of this Court in W.A. No.1804/2024 recently, and the petition at Principal Seat has been held maintainable in arising part cause of action. The present appeal is accordingly allowed. While setting aside the impugned order, we request the writ Court to decide the Writ Petition No.1565/2025 on merits. The parties are directed to appear before the writ Court on 21.04.2025.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

Biswal