

Avinash Kumar Jaiswal Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-05-2013

Appellant : Avinash Kumar Jaiswal

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Satish Shrivastava

Judgement :

W.P. No. 3011 Of 2013 5.3.2013 Shri Satish Shrivastava, learned counsel for the petitioner.

Heard.

Petitioner claiming himself to be a Social Worker has filed this petition seeking directions: (a) to competent authority under Madhya Pradesh Gram Panchayat (Registration of ColonizeRs. Terms and Conditions) Rules, 1999 to stringent action under Section 61 D and Section 61 F of Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam 1993 and to adopt measures prescribed under subsection (5) of Section 172 of Madhya Pradesh Land Revenue Code, 1959 and further direct them to lodge first information report against respondent No. 3 and to recover all dues towards government revenue.

(b) to restrain respondent No. 3 from colonizing and selling constructed houses in Neelkanth Colony, Village Pranmoti, Narsinghpur Road, Chhindwara and prevent him from getting the land diverted for the purpose of colony.

That, in view of the certificate dated 18.12.2012 issued by SubDivisional Officer and Prescribed Authority (Revenue) Chhindwara, under Madhya Pradesh Gram Panchayat (Registration of Colonizers, Terms and Conditions) Rules, 1999 in favour of the respondent No. 3, mandamus as sought for cannot be issued. The petitioner, however, is at liberty to take action in accordance with law either against the issuance of certificate or if any breach of terms and conditions stipulated in the certificate is committed by the Certificate holder.

Petition is finally disposed of in above terms. (SANJAY YADAV) JUDGE Vivek Tripathi

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