

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAVI MALIMATH,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE PURUSHAINDR KUMAR KAURAV
ON THE 20th OF APRIL, 2022

WRIT PETITION No. 8749 of 2022

Between:-

AMITABHA GUPTA S/O LATE SHRI AUDHESH
GUPTA, AGED ABOUT 47 YEARS, OCCUPATION:
ADVOCATE R/O 4th MILE, MANDALA ROAD,
TILHERI, JABALPUR (M.P.) MOB - 9425412067,
EMAIL - AAV.GUPTA@GMAIL.COM

.....PETITIONER

(SHRI AMITABHA GUPTA - PETITIONER IN PERSON)

AND

1. STATE OF MADHYA PRADESH, THROUGH
PRINCIPAL SECRETARY, HOME DEPARTMENT,
MANTRALAYA, VALLABH BHAWAN, BHOPAL
(M.P.)
2. DIRECTOR GENERAL OF POLICE, M.P., BHOPAL
(M.P.)

.....RESPONDENTS

(BY SHRI ASHISH ANAND BERNARD - ADDITIONAL ADVOCATE
GENERAL)

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*This petition coming on for admission this day, Hon'ble Shri Justice
Ravi Malimath, Chief Justice passed the following:*

ORDER

This petition is said to be filed in public interest. The petitioner seeks
following reliefs:-

"a. A writ or direction in the nature of summons directing the
respondents to bring records of the cases wherein the State police
has demolished houses or other structures belonging to the

accused/suspect without authority of law.

b. A writ or direction in the nature of mandamus directing the respondents to not take any such action as complained in the body of the petition without authority of law.

c. Any other writ or direction, which the Hon'ble Court deems fit in the facts of the present case, for instilling faith and confidence in the general public, about rule of law."

On considering the contentions and the pleadings, we are of the considered view that it may not be appropriate to entertain this petition as a public interest litigation. Even if the case of the petitioner is to be accepted that certain houses of certain persons have been demolished, necessarily those persons have a legal right to defend themselves and their properties in a manner known to law. We do not see any nexus with the petitioner and the persons whose properties have been demolished. Therefore, it is for those persons to appropriately move the Court for necessary order as they deem fit. We do not find any reason to entertain this petition on behalf of the present petitioner.

Accordingly, the petition is dismissed.

(RAVI MALIMATH)
CHIEF JUSTICE

(PURUSHAINDRA KUMAR KAURAV)
JUDGE