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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE VISHAL DHAGAT**

ON THE 18th OF APRIL, 2023

WRIT PETITION No. 8730 of 2023

BETWEEN:-

**JAY MA JOGINI SAHKARI SAMITI MARYADIT GRAM
RATAMATI TEHSIL NARSINGHPUR DWARA ADHYAKSH
SUKMAN UIKEY PITA SIYARAM UIKEY AAYU 45 VARSH
LAGBHAG VYAVSAY MACHALI PALAN GRAM AALOD
TEHSIL VA ZILA NARSINGHPUR (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI SANJAY KUMAR JAIN - ADVOCATE)

AND

- 1. THE STATE OF MADHYA PRADESH DWARA
SACHIV MATASYA VIBHAG MANTRALAYA
VALLABH BHAWAN BHOPAL (MADHYA PRADESH)**
- 2. ATIRIKT COMMISSIONER RAJASWA
COMMISSIONER KARYALAY, JABALPUR
(MADHYA PRADESH)**
- 3. COLLECTOR NARSINGHPUR JILA NARSINGHPUR
(MADHYA PRADESH)**
- 4. SAHAYAK SANCHALAK MATSOYOG
NARSINGHPUR JILA NARSINGHPUR (MADHYA
PRADESH)**
- 5. MUKHYA KARYAPALAN ADHIKARI JILA
PANCHAYAT NARSINGHPUR (MADHYA PRADESH)**
- 6. MUKHYA KARYAPALAN ADHIKARI JANPAD
PANCHAYAT NARSINGHPUR (MADHYA PRADESH)**
- 7. SHRI DADA GORAKHNATH MATSOYOG SEHKARI
SAMITI MARYADIT USRI DWARA ADHYAKSH
ASHARAM S/O LATE SHRI GULAB KAHAR AGED
ABOUT 35 YEARS, OCCUPATION MACHLI PALAN
R/O GRAM AVAM POST GORAKHPUR TEHSIL
AND JILA NARSINGHPUR (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI G.P. SINGH - GOVERNMENT ADVOCATE)

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This petition coming on for admission this day, the court passed the following:

ORDER

Petitioner has filed this petition under Article 226 of the constitution of India challenging order dated 16.03.2023 passed by Additional Commissioner, Jabalpur Division, Jabalpur (MP).

2. Petitioner has filed an application under Order 1 Rule 10 of the CPC for impleaded as party. Petitioner has raised an objection that order dated 03.06.2020 for granting *Patta* to appellant/respondent No.7 is without jurisdiction and authority as village-Ratamati is not within jurisdiction of respondent No.7-society and lease has been cancelled vide order dated 04.06.2020. Janpad Panchayat has issued an advertisement for allotment of *Patta* for fisheries on 03.09.2019. Three societies had filed application for allotment of lease. Objector was not a contestant for grant of said lease. Collector after considering said argument rejected the application on ground that Objector was not a party and contestant for grant of *Patta* as advertised by Janpad Panchayat. Petitioner-society was not registered on date of advertisement and was registered on 30.07.2020.

3. Learned counsel appearing for petitioner challenged the order on ground that argument of petitioner was not taken into consideration and ground on merits of case was also raised. It is submitted that petitioner was interested party and Collector had committed an error in rejecting the application.

4. Heard the counsel for petitioner.

5. On perusal of order passed by Collector, it is clear that application

was filed by respondent-society for grant of *Patta* as per advertisement dated 03.09.2019. Petitioner has not filed any application and was not in fray for allotment of *Patta*. Registration date of petitioner-society is of 30.07.2020 i.e. much after issuance of advertisement. In view of same, Collector has rightly held that petitioner does not have any interest to file objection and application was dismissed. Order passed by Collector is well reasoned order and there is no reason for interfering in said order.

6. Writ petition filed by petitioner, is ***dismissed***.

shabana



(VISHAL DHAGAT)
JUDGE