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IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 6th OF MAY, 2026WRIT PETITION No. 15776 of 2026*SMT JYOTSANA RAJA ANGRE AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Siddharth Sijoria - Advocate for the petitioners.

Shri Sohit Mishra - Govt. Advocate for the respondent/State.

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ORDER

This petition under Article 226 of the Constitution of India has been filed by the petitioners seeking following reliefs:-

(i) Issue an appropriate writ, order or direction, including & writ of certiorari, quashing and setting aside the impugned order dated 10.07.2012 Antekuce P/ passed by the Board of Revenue, Madhya Pradesh in Suo Moto Resiskon No. 85 Two/11 and Appeal No.1332-3/11;

ii) Issue an appropriate writ, order or direction, including a writ of declaration and/or certiorari, declaring that in view of the admitted and established position that only about 19.53 hectares of the land in question constitutes agricultural land, comprising approximately 3.87 hectares of irrigated land and 15.63 hectares of unirrigated (dry) land, the provisions of the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 are not attracted; and consequently hold that the said Act is inapplicable to the land in question and quash all proceedings initiated thereunder as being without jurisdiction.

(iii) Issue an appropriate writ, order or direction, including a writ of mandamus, directing the respondent authorities, particularly the competent Settlement Authority, to forthwith decide the remanded proceedings within a fixed time-bound period, preferably within four weeks or within such time as may be deemed fit and proper by this Hon'ble Court.



(iv) In the alternative, pass such directions as this Hon'ble Court may deem fit to ensure expeditious adjudication of the proceedings, including fixing of a strict timeline and monitoring compliance thereof;

(v) In the alternative, pass such directions as this Hon'ble Court may deem fit to ensure expeditious adjudication of the proceedings, including fixing of a strict timeline and monitoring compliance thereof; Grant any other relief, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Learned counsel for the petitioners submits that the present petition arises from the order dated 10.07.2012 passed by the Board of Revenue, Madhya Pradesh, in Suo Motu Revision No. 85-Two/11 and Appeal No. 1332-3/11, whereby the Board allowed the proceedings initiated by the State Government, set aside the order dated 21.11.2010 passed by the Settlement Commissioner, and remanded the matter for fresh adjudication. The controversy pertains to the determination of ceiling limits under the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 in respect of the land belonging to the legal heirs of Late Shahjirao Angre. It is submitted that the Settlement Commissioner, after duly examining the nature of the land and the material available on record, had categorically held, vide order dated 21.11.2010, that the major portion of the land was non-agricultural in nature, being Padat/non-cultivable, and that the remaining agricultural land was well within the prescribed ceiling limits. Consequently, the ceiling proceedings were dismissed. Being aggrieved by the said order, the State preferred an appeal and the Board of Revenue also exercised suo motu revisional jurisdiction; however, by the impugned order, the findings recorded by the Settlement Commissioner were reversed and the matter was remanded for reconsideration with a specific direction to conclude the proceedings within a



period of four months.

It is further submitted that despite the lapse of several years from the date of the remand order and notwithstanding the express time-bound direction issued therein, the competent authority has failed to adjudicate the matter afresh and the proceedings continue to remain pending without any substantial progress. Such inordinate, unexplained, and unjustified delay has caused serious prejudice to the petitioners and amounts to a denial of their valuable right to expeditious justice.

Learned counsel further submits that the petitioners had earlier approached this Hon'ble Court by filing Writ Petition No. 6078/2012, which came to be dismissed as withdrawn vide order dated 11.08.2020. Thus, it is prayed that the respondent authorities, particularly the competent Settlement Authority be directed to forthwith decide the remanded proceedings within a fixed time-bound period.

On the other hand, learned counsel for the State submits that the State has no objection, if such a direction is issued.

Having heard learned counsel for the parties and upon perusal of the record, this Court finds that the matter was remanded by the Board of Revenue as far back as on 10.07.2012 with a specific stipulation for its conclusion within four months. Admittedly, the proceedings are still pending consideration before the competent authority. Pendency of such proceedings for an unduly prolonged period defeats the very purpose of remand and causes avoidable hardship to the parties concerned.

Accordingly, without expressing any opinion on the merits of the



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controversy, the present petition stands disposed of with a direction to the Settlement Commissioner/respondent No.2 to take up the remanded proceedings forthwith and decide the same strictly in accordance with law, after affording due opportunity of hearing to all concerned parties, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of certified copy of this order.

It is made clear that this Court has not expressed any opinion on the merits of the claims of either party and all issues are left open to be decided by the competent authority independently in accordance with law.

With the aforesaid directions, the petition stands disposed of. No order as to costs.

(MILIND RAMESH PHADKE)
JUDGE

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