



1

WP-49583-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

&amp;

HON'BLE SHRI JUSTICE ALOK AWASTHI

ON THE 25<sup>th</sup> OF FEBRUARY, 2026WRIT PETITION No. 49583 of 2025***RADHESHYAM****Versus*

***STATE OF MADHYA PRADESH THROUGH PRINCIPAL SECREARY  
GOVT OF MADHYA PRADESH PUBLIC HEALTH AND FAMILY W  
AND OTHERS***

.....  
Appearance:

*Shri Ashish Choubey - Advocate for the petitioner.*

*Shri Shrey Raj Saxena - Dy. Advocate General for the respondents*

*No.1 & 2.*

*Shri Romesh Dave - Advocate for the respondent No.3.*

.....

ORDER

*Per. Justice Vijay Kumar Shukla*

The present petition is filed as Public Interest Litigation challenging the action of the respondents relating to allotment of Government land bearing survey No.372 and issuance of work order dated 30.12.2024 for construction of Sub Health Centre at Village Majrakheda / Dhavadiya District Dewas (M.P.). Petitioner has further sought a direction to shift and construct the said Sub Health Centre at a location suggested by the petitioner.

02. The petitioner is a resident of Village Dhavadiya and Ex-Panch of the Gram Panchayat Dhavadiya. He submitted that the action of the



respondents, shifting the construction of Sub Health Centre from Village Dhavadiya to Village Majrakheda is illegal, arbitrary and contrary to the sanction by National Health Mission.

03. The respondents have filed the reply and additional reply. It was pointed out that vide Annexure P/1 dated 06.03.2024 issued by the National Health Mission, the amount was sanctioned to all the respective Gram Panchayats for construction of Sub Health Centre. They had drawn our attention to Annexure P/1, which does not mention the name of the village. In the table which has been reproduced in Annexure P/1, the name of Sub Health Centre has been mentioned as Dhavadiya at serial No.2 and an amount of Rs.65 Lacs has been sanctioned. They have further drawn the attention of this Court to Annexure P/5, which was a report submitted by Janpad Panchayat, Bagli to the Sub Divisional Officer, in which it is stated that the spot for construction of Sub Health Centre has been selected as Government land bearing survey No.372 area 0.400 hectare.

04. Counsel for the respondents argued that the construction of said Sub Health Centre is being done in survey No.372 and not on any other khasra number which was selected for construction of the Sub Health Centre. It is further stated that the construction on the said khasra is duly approved by Gram Panchayat in its resolution dated 14.04.2023. They have also drawn our attention to the map from which it is clear that the construction of Sub Health Centre in khasra No. 372 would serve the residents of 5 villages for health treatments.

05. After hearing learned counsel for the parties and considering the



reply and arguments of counsel for the respondents, this Court finds that there is no illegality in the decision taken by the respondents for construction of Sub Health Centre on survey No.372 at Village Dhavadiya, District Dewas. The said decision is purely an administrative decision and since there is no allegation of *malafide*, no interference is called for in the administrative decision.

06. The Writ Petition, being devoid of merit, is hereby **dismissed**. No order as to costs.

(VIJAY KUMAR SHUKLA)  
JUDGE

(ALOK AWASTHI)  
JUDGE

Divyansh