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WP-11018-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 13th OF MARCH, 2026WRIT PETITION No. 11018 of 2025*SARANG RAGUWANSHI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Shoeb Hasan Khan - Advocate for the petitioner.

Smt. Janhavi Pandit,, Additional Advocate General for the State.

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ORDER

Per. Justice Vivek Rusia

1. The petitioner has filed the present petition challenging the order dated 27.01.2025, whereby the Collector, Chhindwara has passed an order under Rule 23 of the M.P. Minerals (Illegal Excavation, Transportation and Storage) Rules, 2022, imposing a penalty .

2. The Revenue Officer, Chourai, District Chhindwara, apprehended a truck bearing registration No. RJ-14-GE-8519 and found that it was illegally transporting minerals without any statutory permission or documents. A Panchnama was prepared on the basis of the disclosure made by the truck driver that the aforesaid truck belongs to the present petitioner. The Mining Inspector prepared a final report and submitted the same before the Collector for prosecuting the petitioner. Thereafter, a show-cause notice was issued to



the petitioner by the Collector (Mining). The petitioner submitted a reply stating that the aforesaid truck does not belong to him and that he is not the owner thereof. However, the reply submitted by the petitioner has not been considered, and the impugned order (Annexure P/1) dated 27.01.2025 has been passed, directing the forfeiture of the truck.

3. The petitioner has filed the registration details of the vehicle in question, according to which the vehicle is registered in the name of Balveer Singh S/o Sugad Singh. The registration is valid up to 18th December, 2027. Although the address and mobile number of the registered owner are mentioned therein, the Mining Officer did not make any effort to approach Balveer Singh to record his statement. It appears that the entire proceedings have been initiated against the present petitioner solely based on the statement of the driver of the truck, Rajesh, who was found on the spot with the vehicle. Before submitting the report, the mining inspector or officer ought to have recorded the statement of the registered owner of the truck. The petitioner has been wrongly treated as the owner of the vehicle, and the liability has been fastened upon him. The entire exercise appears to have been carried out in a very mechanical and careless manner. The Collector was required to examine the matter before passing the order as to whether the petitioner was the registered owner of the vehicle or not, and whether any action had been taken against the actual registered owner. It is very unfortunate that the Collector, being a senior IAS officer, did not care to examine the facts of the case and blindly accepted the report submitted by a subordinate mining officer. When there are provisions for imposing a heavy



fine on a quasi - judicial officer, it is expected that they would decide the matter in a judicial manner.

4. In view of the above, the impugned order dated 27.01.2025, passed in Revenue Case No. 135/A-67/2024-2025 by the Collector, Chhindwara, is unsustainable and is hereby quashed with costs of Rs. 50,000/- payable by the respondents to the petitioner. The state shall recover the cost from erring officers.

5. The writ petition stands allowed.

(VIVEK RUSIA)
JUDGE

(PRADEEP MITTAL)
JUDGE

MSP