IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE ALPESH Y. KOGJE,
CHIEF JUSTICE
&
HON'BLE SHRI JUSTICE VIVEK RUSIA

ON THE 18th OF SEPTEMBER, 2026

WRIT PETITION No. 14704 of 2025

DR KRISHNA KUMAR TRIPATHI
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Abhay Dubey - Advocate for the petitioner.

Vivek Sharma Dy Ag appearing on behalf of Advocate General.

ORDER

Per: Justice Vivek Rusia

This writ petition is filed under Article 226 of the Constitution of India by the petitioner, who had worked as Legal Advisor of respondent No. 5 and is now practising as an advocate, seeking direction to the respondents No.2 & 3 to produce records about the list of beneficiaries of the R&R Policy, as well as the amount disbursed to them as also the list approved/verified by the SDO (Revenue), Singrauli. The petitioner also prayed that respondents No.2 & 3 be directed to submit an action report/enquiry report in view of the complaint (Ann.P/5) of the petitioner made to respondent No.2 on 12.8.2024 in a time-bound manner. This petition was initially listed before the Single Bench, but the Writ Court was of the opinion that the issue raised in this

petition is liable to be examined in the public interest. Therefore, this petition is listed before the Division Bench.

Facts of the Case:

2 The petitioner was working as a Legal Head in the Office of Respondent No. 5, Sasan Power Ltd., and he was in charge of Land Acquisition of Power Plant area. On 30.8.2016, the petitioner left the job. It is averred that during his tenure a List of beneficiaries of the R & R Policy was signed by S.D.O./Assistant Rehabilitation Officer, Singrauli. In the said list, names, ages, and addresses of eligible and ineligible beneficiaries were mentioned; hence the petitioner has full knowledge about the eligible and ineligible persons. The Officers of the respondent no.5 prepared a fresh List of beneficiaries under the R & R Policy, wherein gross irregularities have been committed petitioner noticed that the respondents no.2 & 3 shortlisted the names of ineligible persons from earlier original list contained in Annexure P/1 and got verified the names of so-called eligible persons, who were minors in earlier List and have shown as major to extend them the monetary benefits under the Policy. In the subsequent list the number of beneficiaries has increased by 300. The petitioner came to know such financial irregularities on the part of respondents when he obtained R.T.I. information regarding beneficiaries under the Policy from the Office of respondent no.3 vide letter dt.26.12.2024. Such information reveals that by virtue of the complaint made by the petitioner dt.12.8.2024 (Annexure P/5), the respondent no.2/Collector, Singrauli forwarded a letter dt.28.10.2024 to the respondent no.3- S.D.O. Singrauli to take appropriate action in the

matter. But, even after lapse of period of 6 months no action has been taken by the S.D.O. Hence, petitioner filed instant petition which was initially listed before learned Single Judge, however, vide order dated 28.4.2025 taking note of the submission that petitioner has no personal interest learned Single Judge made an observation was made that this petition ought to have been registered as P.I.L. Thereafter, petitioner vide Document No.7667/2025 dated 07.5.2025 prayed that instant petition be registered as P.I.L.

Submission on behalf of the petitioner:

3. Learned counsel for the petitioner argued that the number of beneficiaries contained in the earlier Original List (Annexure-P/1) does not tally with the number of beneficiaries in the subsequent verified List (Annexure-P/2), as they are increased by 300 in number, which is practically impossible after short-listing the names of actual beneficiaries under R & R Policy. It establishes the collusion of the respondents 2, 3 & 5 with each other to give illegal monetary benefits under R & R Policy to 300 ineligible persons by verifying those ineligible persons as eligible persons due to extraneous considerations, causing unlawful revenue loss to the Government, which is a public exchequer and for unlawful monetary gain for themselves by misusing their post and power. It is further contended that the respondents No. 2 & 3 are required to verify the List of beneficiaries under R & R Policy in light of para 35 of order no.402/MP/2014 dt.18.11.2015 issued by Central Electricity Regulatory Commission, New Delhi, which provides that the mechanism of payment of compensation under change in Law for future as per Article 13.4.2 of the PPA in the subsequent years. The petitioner further

contended that the complaint/representation dated 12.08.2024 submitted to Collector Singullari, received by the office of the Collector dated 12.09.2024, was not acted upon by the said authority, and thereafter the petitioner moved an application under R.T.I. Act to know the status of his complaint, but as per R.T.I. response letter dt.7.11.2024 vide ANNEXURE P/6, wherein it reveals that the respondent no.2/Collector, Singrauli forwarded a letter dt.28.10.2024 vide ANNEXURE P/7 to the respondent no.3/ S.D.O. Sub Division Singrauli to take appropriate action in the matter and to inform the Office of respondent no.2 but despite after passing of 6 months no action has been taken. Hence, the present petition is to direct enquiry and action in the present matter.

4. Learned counsel for the respondent has opposed the submissions made by learned counsel for the petitioner and claimed dismissal of the instant writ petition.

5. Heard learned counsel for the parties and perused the record. By way of this writ petition, the petitioner is seeking writ of mandamus directing the respondents No.2 & 3 to submit the entire record, including the list of beneficiaries of the R&R Policy and the amount to be disbursed to them as per the order of SDO (Revenue) Singrauli. The petitioner is further seeking direction to respondents No.2 & 3 to take action on the complaint dated 12.8.2024. In the alternative, the petitioner is seeking direction to consider and decide the complaint dated 12.8.2024/12.9.2024. The petitioner is projecting himself as a complainant in this matter; hence approached by way of writ petition with a personal interest. The petitioner had worked as Legal

Head with Sasan Power Limited, and he was in charge of Land Acquisition of Power Plant area. However, he left the job on 30.8.2026. According to him, a list of beneficiaries of the Policy was submitted by the SDO/Assistant Rehabilitation Officer containing names of ineligible persons and Sasan Power Limited also prepared a list of beneficiaries by committing gross irregularities and illegalities. The learned writ court has declined to interfere in the writ petition and directed the petition to be treated as a Public Interest Litigation.

6. We cannot believe that the petitioner has no personal interest in this matter, as he has already projected himself as a complainant to highlight so-called illegality and irregularity in the preparation of the list of R&R Policy. Even otherwise, the petitioner cannot be permitted to bring his cause by way of public interest litigation as he himself was the legal head in the office of respondent No.5 and was dealing with land acquisition matters. The petitioner was required to maintain secrecy of facts and material which he had gathered while working with Respondent No. 5. Now, the petitioner is acting as a practising advocate therefore, he must understand the maintenance of secrecy between client and attorney. An advocate owes an uncompromising duty of loyalty and confidentiality. An advocate is statutorily barred from disclosing communications made to them in the course and for the purpose of their employment by or on behalf of their client, as well as the advice given thereon, unless there is express consent. This obligation does not cease upon termination of employment—it remains perpetual. The petitioner, being an ex-employee, is not supposed to highlight

the matters relating to his employer after leaving the service. His conduct is highly objectionable and reprehensible.

7. In the result, the writ petition being devoid of substance is dismissed with costs of Rs.20,000/- which shall be deposited by the petitioner with the M.P. State Legal Services Authority.

(ALPESH Y. KOGJE)
CHIEF JUSTICE

(VIVEK RUSIA)
JUDGE

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