

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE**

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 29th OF JANUARY, 2024

WRIT PETITION No. 26326 of 2021

BETWEEN:-

1. **HRADESH PRAJAPATI S/O VIJAY KUMAR PRAJAPATI, AGED ABOUT 36 YEARS, OCCUPATION: LABOUR COURT ROAD ANAR GALI (MADHYA PRADESH)**
2. **BHAROSILAL JHA S/O BHAGWANLAL JHA, AGED ABOUT 75 YEARS, OCCUPATION: LABOUR JHANSI TIRAHA DISTT. SHIVPURI (MADHYA PRADESH)**
3. **KANHAIYALAL NAMDEV S/O KALURAM NAMDEV, AGED ABOUT 72 YEARS, OCCUPATION: LABOUR KRISHNAPURAM COLONY DISTT. SHIVPURI (MADHYA PRADESH)**
4. **MAHESH NIGOTI S/O SUNDAR LAL NIGOTI, AGED ABOUT 60 YEARS, OCCUPATION: LABOUR JHANSI TIRAHA DISTT. SHIVPURI (MADHYA PRADESH)**
5. **KAMAL SINGH DHAKAD S/O POORAN SINGH DHAKAD, AGED ABOUT 36 YEARS, OCCUPATION: LABOUR KRISHNAPURA DISTT. SHIVPURI (MADHYA PRADESH)**

.....PETITIONERS

(BY SHRI RAJEEV SHRIVASTAVA - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH PRINCIPAL SECRETARY DEPARTMENT OF ENDOWMENT AND CHARITABLE, VALLABH BHAWAN (MADHYA PRADESH)**
2. **COLLECTOR / DISTRICT MAGISTRATE COLLECTOR DISTT. SHIVPURI (MADHYA PRADESH)**
3. **SUB DIVISIONAL OFFICER REVENUE REVENUE**

2

DEPARTMENT DISTT. SHIVPURI (MADHYA
PRADESH)

4. TEHSILDAR TEHSILDAR SHIVPURI (MADHYA
PRADESH)
5. MAFFI OFFICER GWALIOR DIVISION GWALIOR
GWALIOR DIVISION DISTT. GWALIOR (MADHYA
PRADESH)

.....RESPONDENTS

(SHRI S.S. KUSHWAH - GOVERNMENT ADVOCATE FOR STATE)

.....

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

ORDER

The present petition has been filed under Article 226/227 of the
Constitution of India seeking the following reliefs:-

- "1. That, the respondent be directed to accepted the rent
from the petitioner as per the instruction issued by the
Commissioner Gwalior Division Gwalior Annexure P/1
which they have already extended to other similar footing
shopkeeper,
2. That, the respondent further be directed to recognized
the petitioner as a tenant in the shop like other shopkeeper
and permit him to continue his shopkeeping job in the
shop.
3. That, the cost of the litigation may also be awarded.
4. Any other relief which this Hon'ble Court deem fit in the
facts and circumstances of the case may kindly be granted
to the petitioner."

2. Counsel for the petitioners has submitted that in respect of the
petitioner's grievance, they have preferred representation/application but the
same has not been decided till date by the respondents. A limited prayer has
been made by counsel for the petitioners that if the respondents authorities are
directed to decide their pending representations/applications (Annexure P/2 to

P/4) in a time bound manner, their grievance would be redressed.

3. *Per contra*, learned counsel appearing on behalf of respondents/State on advance notice submits that if such directions are issued, he has no objection.

4. Looking to the limited prayer made by the counsel for the petitioners, the present petition is disposed of with a direction to the respondents/competent authority to decide pending representations/applications of the petitioners Annexure P/2 to P/4 by passing a reasoned and speaking order as expeditiously as possible preferably within a period of **15 days** from the date of receipt of the certified copy of this order.

5. With the aforesaid directions, the petition is **disposed of**.

6. It is made clear that this Court has not expressed any opinion on the merits of the case.

7. E-copy/certified copy as per Rules.

(MILIND RAMESH PHADKE)
JUDGE

pwn*