

Ramjan Sheikh Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Oct-16-2012

Appellant : Ramjan Sheikh

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Ashish Rawat

Judgement :

1 W.P.No.15991/12 (O).16.10.2012.

Shri Ashish Rawat, learned counsel for the petitioner.

Shri S.S.Bisen, learned GA for the respondents No.1 to 6.

Heard on the question of admission.

The petitioner has filed this petition under Article 226 of Constitution of India for issuing appropriate writ directing the authorities of the respondents not to issue transit passes in respect of the vehicle which carrying the overloaded Sand more than prescribed weight, as mentioned in the registration certificate of concerning vehicle.

It is noted that in this regard on earlier occasion a W.P.No.16237/11, was filed by the present petitioner but the same was disposed of by the order dated 29.9.2011 (Ann.

P.5) with a direction to the authorities of the respondent NO.5 Collector to consider and decide the representation of the petitioner within two months.

Subsequent to it in compliance of such order Collector has decided the matter vide order dated 1.12.2011 (Ann.

P.7) and directed the concerning authorities including the authorities of respondent No.7 and 8 to take appropriate steps in the matter to stop overloading in the vehicle.

The petitioner's counsel after taking me through the aforesaid orders of this Court as well as the Collector said that inspite such direction the authorities of the respondent No.7 and 8 are not taking appropriate steps in the matter and still issuing the transit passed for overloaded vehicle in regular course.

In continuation he said that in this regard he also filed representations Annexure P.8 and P.9 date

15. 5.2012 and 11.9.2012 respectively in the office of respondent No.7 and 5 but no action has been taken on such representations, on which he has come to this Court with this petition.

Initially he argued the case for admission but in response of some query of the Court he made his limited prayer that this petition be disposed of with a direction to the respondent No.7 and 5 to consider and decide his representation within some time bound schedule.

The State counsel did not have any objection in disposing of the petition as prayed by the the petitioner's counsel.

In view of the aforesaid instead to admit or issue any notice to the other side, this petition is disposed of with a direction to the respondent No.7 and 5 to consider and decide the aforesaid pending representation of the petitioner by speaking order within thirty days from the date of submitting the certified copy of this order along with the copy of this petition with annexures in the office of the authorities of such respondents.

The petitioner is directed to submit the aforesaid papers within fifteen days from today in the office of such authorities.

The petition is disposed of as indicated above.C.C.

as per rules.

(U.C.Maheshwari) Judge k

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