

**W.P. No.1493/2016****07.04.2016**

Shri Devesh Khatri, Advocate for the petitioner.

Shri Amit Seth, Govt. Advocate for the respondents/State.

The petitioner has made representation to the Collector with regard to the issues referred to in this petition. However, the appropriate Authority to consider the grievance of the petitioner is respondent No.3, as is fairly accepted by the counsel for the petitioner. In that case, the petitioner must make fresh representation to respondent No.3 and on receipt of such representation the respondent No.3 must consider the same expeditiously, preferably within eight weeks from its receipt and communicate the decision taken thereon to the petitioner within the same time. We may not be understood to have accepted the stand of the petitioner one way or the other. The appropriate Authority must consider the matter on its own merits in accordance with law uninfluenced by the order passed today.

We place on record that if the respondent No.2 Collector, Katni was not Competent Authority to entertain the representation, nothing prevented him to forward the same to the Competent Authority as the issue was regarding

public road and concerning the locals of the concerned area. If the Collector is required to process the proposal, shall do so, expeditiously, preferably within two weeks from receipt of copy of this order from the petitioner or the Registry of this Court, whichever is earlier. The concerned Authority may not only take into account the matters referred to in the representation Annexure P-7 or further representations as may be submitted by the petitioner or similarly placed persons, but, also the grounds urged in the present petition as the final representation.

**Disposed of accordingly.**

Counsel for the petitioner assures to furnish complete set of paper book to the counsel for the respondent No.2 Collector.

**Copy of this order be forwarded to the concerned respondents by e-mail/fax in addition for information and necessary action.**

(A.M. Khanwilkar)  
Chief Justice

(Sanjay Yadav)  
Judge