

प्रश्न सं. [क. 3269]

15/3/2021 4/2/2021-1
निर्माण-जांचक 3269
सहायक निरीक्षक श्री. आ. श्री. श्री.
3269 श्री. श्री. 15-3-21



कार्यालय कलेक्टर एवं जिला मजिस्ट्रेट, जिला भोपाल (म.प्र.)
Off - 0755 - 2540822

क्र. 753/अजिद(उत्तर)/2020

भोपाल दिनांक 2/12/2020

// आदेश //

आवेदक श्री विवेक दीक्षित निवासी :- 194, इण्डस एम्पायर ब्राह्मपुरा थाने के पास भोपाल के
शिकायती आवेदन पत्र संलग्न अनुसार भू-माफिया श्री दिनेश त्रिवेदी, अनिता विष्ट भट्ट से मिलकर
गौरव गृह निर्माण सहकारी संस्था के संस्थापक सदस्यों को आरक्षित भूखण्ड करौड़ो रूपयों में अन्य
व्यक्तियों को विक्रय कर दिया गया है, जिसकी शिकायत एवं जांच के उपरांत दोषी पाये जाने वाले
पदाधिकारियों/संचालकों पर अपराधिक प्रकरण शाहपुरा थाना में पंजीबद्ध है, इसी तरह श्री त्रिवेदी
द्वारा अन्य सहकारी संस्थाओं जैसे महाकाली, हेमा, गौरव, मंदाकिनी, लाला लाजपतराय एवं न्यू मित्र
मंडल तथा गुलाबी गृह निर्माण के कतिपय संचालकों से मिलकर संस्था की सदस्यता से छेड़छाड़
किया जाकर नये सदस्य बनाये गये हैं। उक्त शिकायत की विस्तृत जांच करने हेतु उपायुक्त
सहकारिता, जिला पंजीयक सहकारी संस्थाए की अध्यक्षता में निम्नलिखित अनुसार कमेटी गठित की
जाती है :-

क्रमांक	अधिकारी का नाम	पदनाम
01	श्री छविकांत यादव	सहायक आयुक्त भोपाल
02	श्री दिनेश चौरसिया	सहायक आयुक्त मुख्यालय भोपाल
03	श्री सुधाकर पाण्डे	अंकेक्षक, सहकारिता भोपाल

उपरोक्तानुसार कमेटी शिकायती आवेदन पत्र में उल्लेखनीय तथ्यों पर विस्तृत जांच कर
अभिमत सहित जांच प्रतिवेदन 15 दिवस के अंदर मेरे समक्ष प्रस्तुत करें।
संलग्न :- शिकायती आवेदन पत्र

अपर जिला मजिस्ट्रेट
भोपाल

भोपाल, दिनांक 2/12/20

क्रमांक 754/अजिद(उत्तर)2020
प्रतिलिपि :-

1. आयुक्त, भोपाल सभाग भोपाल की ओर सूचनार्थ।
2. जिला पंजीयक, सहकारी संस्थाए भोपाल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. सर्व संबंधित अधिकारीगण की ओर सूचनार्थ।

अपर जिला मजिस्ट्रेट
भोपाल

7881
28/12/2020 श्री सुधाकर पाण्डे
24/12/20

अनुमति अधिकारी
मध्य प्रदेश शासन
सहकारिता विभाग

श्री राजेश मयिरेटा-2
विवेक दिखत 3269
श्री जूबिन प्रसाद व अन्याय की लड़ाई
WP-705-2021

1
The High Court Of Madhya Pradesh

WP-705-2021

(DINESH TRIVEDI vs THE STATE OF MADHYA PRADESH AND OTHERS)

2

Jabalpur, Dated : 01-02-2021

Heard through Video Conferencing.

Shri Rajesh Maindiretta, learned counsel for the petitioner.

Shri Jubin Prasad, learned PL for the respondent/State.

Learned counsel for the petitioner by the instant petition is challenging the order 21/12/2020 (P/13) passed by the Additional District Magistrate Bhopal, whereby he has constituted a committee for inquiring about the complaint made by one Vivek Dixit. Counsel for the petitioner submits that the constitution of the committee is apparently illegal because the order is based on the fact that the criminal case has been registered against the petitioner and also on the ground that inquiry has also been conducted by Sudhakar Pandey, who is also one of the members of the said committee. He submits that in view of the report submitted by Sudhakar Pandey, the police has registered FIR and police investigated the matter in which final report has been submitted to the Superintendent of Police by the Investigating Officer saying that nothing is found against Dinesh Trivedi and Suman.

Considering the submission, the very foundation of the order passed by the Additional District Magistrate Bhopal on 21/12/2020 is misplaced as offence registered against the petitioner inquired about, in which they have not found him guilty and recommended for deleting their name has been made by the Investigating Officer and further on the basis of that committee, the Superintendent of Police would not act fairly as he has already made inquiry against the petitioner and submitted the report against him and on the basis of said report FIR has been registered. He further submits that Collector in fact is not the authority to constitute committee in respect matter relating to the Cooperative Society as the order impugned is also without jurisdiction.

Shri Jubin Prasad, learned PL on the other hand opposed the

submission made by the counsel for the petitioner and submitted that the Collector in fact referred the matter to Deputy Commissioner Cooperative for furnishing detailed inquiry in the matter.

Counsel for the petitioner submits that it appears that from the order impugned that the Additional Collector has passed the said order without application of mind and having no knowledge about the investigation completed by the police, wherein the petitioner has been given clean chit.

Considering the aforesaid, notice be issued to the respondents by registered mode. Returnable within 4 weeks.

By way of interim measure, it is directed that operation of the impugned order dated 21/12/2020 (P/13) shall remain stayed till next date of hearing.

List in the week commencing 08th March, 2021.

Certified copy as per rules.



(SANJAY DWIVEDI)
JUDGE

tanm


अनुमान अधिकारी
अदालत कार्यालय, धारवाड़,
महाराष्ट्र राज्य सरकार