

**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
MP No. 2213 of 2024  
(*PRADEEP KUMAR AGARWAL Vs NITIN AGARWAL AND OTHERS*)**

**Dated : 26-07-2024**

*Shri Siddharth Gulatee – Advocate for the petitioner.*

*Shri Ishteyaq Hussain – Advocate for the respondent no.6.*

*Shri Swapnil Ganguly – Deputy Advocate General for the  
respondent/State.*

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Shri Devendra Kumar Singh, Additional Collector, Narmadapuram and Shri Rakesh Khajuria, Tahsildar, Seoni Malwa, Narmadapuram are present in person in compliance of order dated 25.7.2024.

The reasons assigned by the Additional Collector as well as Tahsildar in misconstruing the order passed by this Court, were heard. When Shri Swapnil Ganguly was making verbal submission seeking exemption of Collector, Narmadapuram from personal appearance before this Court pointing out certain natural calamities, which require his presence on the spot, Shri Devendra Kumar Singh, Additional Collector, Narmadapuram, who was requested to sit and had also taken his seat on the Bench, all of sudden stood up and started showing a brown envelop. Accordingly, he was directed to supply the said envelop to the Court. Shri Devendra Kumar Singh, Additional Collector, Narmadapuram gave that envelop to Shri Swapnil Ganguly, Deputy Advocate General, therefore, he was directed to give it to the Court.

This envelop contains a letter, written by Collector, Narmadapuram directly to the Court, seeking exemption from personal appearance. This conduct of Collector, Narmadapuram is unpardonable. Once the counsel for the State was representing the Collector, Narmadapuram and was making submissions for his exemption on the ground of certain ground realities, then the conduct of the Additional Collector by waiving the brown envelop in the Court containing the letter written to this Court directly seeking personal exemption, cannot be tolerated.

Accordingly, whatever the reasons for absence of Collector, Narmadapuram may be, he is directed to remain personally present before this Court at 4:00 p.m. to explain his conduct of writing a letter directly to this Court, which was being waived by the Additional Collector in the open Court.

The letter written by Collector, Narmadapuram directly to this Court is taken on record and it is a made a part of the record.

Shri Devendra Kumar Singh, Additional Collector, Narmadapuram and Shri Rakesh Khajuria, Tahsildar, Seoni Malwa, Narmadapuram are also directed to remain present at 4:00 p.m.

The envelope was in an open condition. Thus, it is clear that the same must have been shown by Shri Devendra Kumar Singh, Additional Collector, Narmadapuram to the Law Officers of the State and they must have instructed him not to place on record and inspite of that, Shri Devendra Kumar Singh, Additional Collector, Narmadapuram was under an impression that since it is a letter written by Collector directly addressing to the Court, therefore, the Court will be very much impressed and will succumb to the letter written by the Collector, Narmadapuram.

Accordingly, the Collector, Narmadapuram is directed to remain personally present before this Court at 4:00 p.m. to explain his conduct of writing a letter directly to this Court as well as to explain the conduct of Additional Collector in waiving the letter in the open Court inspite of the instructions given by the office of Advocate General as well as to explain the conduct of the Tahsildar and Additional Collector in deliberately misconstruing the order passed by this Court in M.P.No.972/2021.

**Call at 4:00 p.m.**

**(G.S. AHLUWALIA)  
JUDGE**

TG/-