

IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 25th OF APRIL, 2024

WRIT PETITION No. 20668 of 2020

BETWEEN:-

**YUSUF @ BHEDA S/O SHARIF KHAN
OCCUPATION: VYAPAR SIGHAKHAL
SARANGPUR, (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI PRAVESH - ADVOCATE)

AND

- 1. NAGAR PALIKA PARISHAD CHIEF MUNICIPAL
OFFICER SARANGPUR (MADHYA PRADESH)
AYUKT MAHODAYA NAGAR PALIKA**
- 2. PARISHAD SARANGPUR RAJGARH (MADHYA
PRADESH)**

.....RESPONDENTS

(RESPONDENT NO.1 BY SHRI SATYENDRA MALVIYA - ADVOCATE)

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

ORDER

- 1. By this petition the petitioner has prayed for the following
reliefs :-**

“7. चाही गई सहायता:-

ए. माननीय न्यायालय यह रिट आदेश निर्देश देवे कि याचिकाकर्ता की याचिका स्वीकार कर प्रत्यर्थी क्रमांक 1 को आदेशित किया जावे कि वह याचिकाकर्ता के मकान को विधि विरुद्ध रूप से ध्वस्त ना करे एवं ना ही किसी अन्य के माध्यम से करावे।

बी. अन्य कोई सहायता जो माननीय न्यायालय न्यायहित मे उचित समझे वह भी दिलवाई जावे।

सी. याचिकाकर्ता की याचिका सत्यय स्वीकार की जावे।”

2. The contention of the learned counsel for the petitioner is that pursuant to the notice dated 21.12.2020 the respondents shall demolish his construction without affording any opportunity of hearing to him and without following the due process of law.

3. This petition has been preferred by the petitioner only against a show cause notice. In the notice the petitioner has been directed to furnish the documents as regards his property. As of now no order has been passed and it has only been stated that if the documents are not produced by the petitioner then legal action shall be taken against him.

4. Thus in the available facts of the case, it is directed that the petitioner shall furnish his reply to the notice dated 21.12.2020 within a period of four weeks from today along with all the requisite documents. Upon filing of the reply by the petitioner the respondents shall objectively advert to it and the documents to be filed along with it. The petitioner shall also be afforded due opportunity of hearing in the matter and thereafter only the final order shall be passed which shall be a speaking and a reasoned order.

5. Till final decision is taken in the matter, interim order dated 31.12.2020 passed in this petition shall remain in operation. In case the final order is against the petitioner, then a breathing period of 15 days shall be granted to him to assail the same in accordance with law.

6. With the aforesaid, without expressing any opinion on merits, petition stands disposed off.

(PRANAY VERMA)
JUDGE

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