

**High Court of Madhya Pradesh, Jabalpur**  
**Bench at Indore**

**Writ Petition No.22673/2021**

(Gulshan Samriya s/o Kanhaiyalal Samariya  
Versus  
Indore Municipal Corporation & another)

**Indore, Dated 13.10.2021**

Shri Vijay Kumar Nagpal, learned counsel for the petitioner.

Shri Manoj Munshi, learned counsel along with Shri Lucky Jain, learned counsel for the respondent / Indore Municipal Corporation, on advance notice.

Heard finally with the consent of the parties, on the question of admission and grant of interim relief.

**ORDER**

This petition has been filed by the petitioner against show cause notice for demolition dated 11.10.2021 (Annexure P/1) issued by respondent No.2 – Building Officer, Zone No.6, Indore Municipal Corporation, Indore.

2. Learned counsel for the petitioner has submitted that the notice was served on the petitioner only recently, although earlier, another notice dated 26.07.2021 (Annexure P/6) was also served on the petitioner by respondent No.2 regarding the alleged illegal construction and seven days time was granted to submit his reply; and despite having filed a detailed reply along with relevant documents, no orders have been passed by respondent No.2 and this fresh notice has been issued on 11.10.2021 (Annexure P/1) asking

the petitioner to show cause within three days time or remove the construction.

3. Shri Manoj Munshi, learned counsel for the respondent / Indore Municipal Corporation has submitted that the petitioner's earlier reply filed pursuant to show cause notice dated 26.07.2021 shall be decided in accordance with law at the earliest.

4. On due consideration of the submissions and on perusal of the record, this Court finds it expedient to dispose of this petition with a direction to respondent No.2 to decide the petitioner's reply filed on 22.09.2021 (Annexure P/8) to the show cause notice dated 26.07.2021 (Annexure P/6), be decided as early as possible, preferably within a period of four weeks from the date of receipt of certified copy of this order; and if any adverse order is passed against the petitioner, it should also not be given effect to for a further period of ten days, so that the petitioner can avail the appropriate remedy, as is available to him under the law against the said adverse order.

5. Needless to say, no coercive action shall be taken against the petitioner pursuant to the notice dated 11.10.2021, till this order is complied with.

6. With the aforesaid direction, Writ Petition No.22673/2021 stands disposed of. C. c. as per rules.

**(Subodh Abhyankar)**  
**Judge**