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WP-20466-2024

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 1st OF OCTOBER, 2024WRIT PETITION No. 20466 of 2024

*NANDKISHOR SONKAR THROUGH HIS POWER OF ATTORNEY
VINAY SONKAR*

Versus

*THE STATE OF M.P. THROUGH PRINCIPAL SECRETARY AND
OTHERS*

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Appearance:

Shri Akash Sharma - Advocate for the petitioner.

Shri Sudeep Bhargava - Dy.A.G for the respondent/State.

*Shri Rizwan Khan and Shri Aishwarya Vardhan Sethi - Advocates for the
proposed interveners/applicants.*

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ORDER

Heard on I.A No.9615/2024 which is an application for recalling of the order dated 29/7/2024 passed in W.P No.20466/2024 filed by the proposed intervener/applicants.

The petitioner filed a petition under Article 226 of the Constitution of India seeking a direction on the inaction on the part of the Commissioner, Corporation for not taking any initiative for demolition of the building of the petitioner in dilapidated condition.

Considering the aforesaid submissions and the grievance of the petitioner, the said petition was disposed off directing the respondent No.2 to consider and decide the representation of the petitioner in accordance with law and to take necessary steps for demolition of the building within period



of 15 days from the date of filing of the copy of the order passed today(date of the aforesaid order).

The proposed intervener submits that there is a decree in favour of the intervener in respect of the same house and the petitioner was also party in the said case.

Counsel for the petitioner submits that the aforesaid decree was exparte decree and he claims to be the title holder of the said property.

After hearing learned counsel for the parties, the application is disposed off by modifying the order dated 29/7/2024 passed in W.P No.20466/2024 to the extent that the Commissioner, Corporation before taking any steps for demolition of the building in question, on the representation of the petitioner shall afford opportunity of hearing to the petitioner and proposed intervener and shall pass a reasoned and speaking order after considering the documents filed by the parties and thereafter to take action of demolition as per the order passed by him in accordance with law within period of 15 days of the order.

Till the aforesaid exercise is done, no step for demolition shall be taken.

With the aforesaid modification, I.A No.9615/2024 is disposed off.

The order passed today shall be read conjointly with the order dated 29/7/2024 passed in W.P No.20466/2024. Other conditions and directions of the said order shall remain intact.

As a consequence, present petition also stands **disposed off.**

CC today.



(VIJAY KUMAR SHUKLA)
JUDGE

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