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WP-4069-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 30th OF JANUARY, 2026WRIT PETITION No. 4069 of 2026*RAKESH RAIKWAR**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Aditya Pratap Singh Sengar - Advocate for the petitioner.

Ms. Bhagyashree Gupta - Govt. Advocate for the State.

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ORDER

The present petition is filed under Article 226 of the Constitution of India being aggrieved by the action of the respondents for earmarking the shop and house of the petitioner for demolition and for widening of the road.

2. Learned counsel for the petitioner submits that the aforesaid shop / house is situated on the private land and the respondents without acquiring the said land / house and paying compensation are going to demolish the shop / house of the petitioner for the purpose of widening the road. It is argued that the respondents cannot widen the road by utilizing private land without acquiring the land and paying compensation. In support of his submission, he has placed reliance on order dated 18.07.2019 passed by the High Court of Delhi in the case of *Sarita Gupta and Others Vs. MCD* and order dated 09.08.2023 passed by this Court in W.P. No.19529/2023 (*Shahnawaj Mizwani Vs. State of M.P. and Others*).



3. After hearing learned counsel for the petitioner, I deem it expedient to dispose off the petition with liberty to the petitioner to submit a detailed and comprehensive representation / objection before the Commissioner, Ujjain Municipal Corporation, District Ujjain within a period of seven days from today along with all requisite documents and if such a representation is submitted within the aforesaid period, the Commissioner shall decide the same within a period of three weeks from the date of receipt of the same in accordance with law by passing a reasoned and speaking order.

4. Till the representation of the petitioner is considered and decided by the Commissioner, Ujjain Municipal Corporation, District Ujjain if preferred within the period as aforesaid, the respondents are restrained from demolishing the shop / house of the petitioner. In case the decision is against the petitioner, he shall be afforded a breathing time of ten days for assailing the same in accordance with law.

5. With the aforesaid directions, the petition stands disposed off.

(PRANAY VERMA)
JUDGE

Shilpa