



1

WP-15988-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 8th OF MAY, 2025

WRIT PETITION No. 15988 of 2025

SHAHADAT E HAQ HUMAN WELFARE TRUST

Versus

THE MUNICIPAL CORPORATION BHOPAL AND OTHERS

.....
Appearance:

Shri Kabeer Paul - Advocate for the Petitioner.
.....

ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

The instant petition has been filed seeking the following reliefs:-

"i) Issue a Writ of Certiorari and quash and set-aside the impugned notice/order dt. 10.01.2025, 17.01.2025 and 21.04.2025 (Annexure P/3,P/5) and all consequential proceedings.

ii) Consequently, issue a Writ of Mandamus directing the Respondent to first decide and act upon the Application dt. 29 Apr 2025 preferred by the Petitioner for approval for sanction of Map and decide the case of the ©Petitioner as per the Rules of 2016.

iii) Issue a Writ of Prohibition restraining the



authority from interfering with the peaceful possession in any manner whatever and upon holding that the action of the Respondent Authorities in initiating the impugned demolition/eviction proceedings pursuant to the order dt. 10.01.2025, 17.01.2025 and 21.04.2025, is incorrect, arbitrary, unjust and unlawful.

iv) Issue a Writ of Prohibition on holding that the action of the authorities is ultra vires of the Rule 3 of Madhya Pradesh Municipal ('Compounding Of Offences Of Construction Of Building Fees And Conditions) Rules, 2016.

v) Pass any other orders that this Hon'ble Court may deem appropriate."

2. Though the learned counsel appearing on behalf of the petitioner submits that he has made application dated 29th April, 2025 for compounding and permission of construction with approval for sanction of Map, however, seeks three days time to file afresh on prescribed format, the respondent/authority may be directed to dispose off the same as per law in terms of provisions of Rules of 2016.

3. In view of above, we hereby **dispose off** the present petition by giving liberty to the petitioner to make an application for compounding the construction already constructed within three working days and on receipt of the same, the respondent No.1 is directed to decide the same within six weeks from today.



4. Till the application is decided, no coercive steps shall be taken against the Petitioner.

5. It is further made clear that if the Order is against the petitioner, to execute the same, seven days notice shall be given to the petitioner.

6. Needless to state that if the petitioner is still aggrieved by the Order so passed, he may challenge the same before the appropriate forum.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

veni