

(2023) 04 MP CK 0089

In the Madhya Pradesh High Court

Case No : Writ Petition No. 10027 Of 2023

Hare Krishna Enterprises

APPELLANT

Vs

Ujjain Municipal Corporation Commissioner Chhatrapati
Shivaji And Others

RESPONDENT

Date of Decision : 28-04-2023

Acts Referred:

Madhya Pradesh Municipal (Compounding Of Offence Of Construction Of Buildings,
Fees And Conditions) Rules, 2016 — Rule 4

Citation : (2023) 04 MP CK 0089

Hon'ble Judges : Pranay Verma, J

Bench : Single Bench

Advocate : Vijay Kumar

Final Decision : Disposed Of

Judgement

Pranay Verma, J

Heard.

This petition has been preferred by the petitioner apprehending threat to demolition of its property by the respondents without affording due opportunity hearing to it and without considering its application for compounding.

Learned counsel for the petitioner submits that the petitioner had attempted to file an application for compounding in terms of Rule 4 of Madhya Pradesh Municipal (Compounding of Offence of Construction of Buildings, Fees and Conditions) Rules, 2016 by submitting it in the inward Section of the respondents. The same was however refused to be taken hence the petitioner has sent the application by speed post on 26.4.2023. The apprehension of the petitioner is that the construction of the petitioner would be demolished without considering the application for compounding.

In the available facts of the case, I direct the respondents to advert to and decide the application dated 26.4.2023 (Annexure P/7) which has been

dispatched on 26.4.2023 itself by speed post in accordance with the provisions of Rules 2016 and thereafter only to proceed with any action for demolition of the property of the petitioner.

With the aforesaid direction, the petition stands disposed off.