
(2023) 06 MP CK 0004
In the Madhya Pradesh High Court
Case No : Writ Petition No.12466 Of 2023

Ranjeetsingh

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 05-06-2023

Acts Referred:

Constitution Of India, 1950 — Article 226
Madhya Pradesh Municipalities Act, 1961 — Section 307

Citation : (2023) 06 MP CK 0004

Hon'ble Judges : Vijay Kumar Shukla, J

Bench : Single Bench

Advocate : Pankaj Ajmera, Amay Bajaj

Final Decision : Disposed Of

Judgement

Vijay Kumar Shukla, J

The present petition under Article 226 of the Constitution of India has been filed by the petitioner, being aggrieved by the order dated 31.05.2023 passed by the Chief Municipal Officer, Municipal Council, Sendhwa, District Barwani, whereby a direction has been issued to remove the house in a dilapidated condition himself or the same shall be demolished.

Counsel for the petitioner submits that against the impugned order, there is a remedy of appeal under Section 307 of the M. P. Municipalities Act, 1961 and therefore, prays for liberty to file an appeal against the impugned order under the said provision and till then, protection may be granted.

After hearing learned counsel for the parties, I deem it proper to dispose of the petition with a liberty to the petitioner to file an appeal against the impugned order before the competent authority within 07 days alongwith an application for grant of stay. If the appeal is filed alongwith the said application within the stipulated period, the same shall be considered and decided by the Appellate Authority. The application for stay shall be considered by the Appellate Authority,

in accordance with the law within a period of 07 days thereafter.

Till the application for stay is decided by the Appellate Authority, no further demolition shall take place.

With the aforesaid, this writ petition is disposed of.