
(2020) 02 MP CK 0089

In the Madhya Pradesh High Court

Case No : Writ Petition No. 7338 Of 2014

Suman Singh Sikarwar

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 18-02-2020

Acts Referred:

Madhya Pradesh Outdoor Advertisement Media Rules, 2017 — Rule 26(1), 26(14), 27(2c), 28(1a), 28(2)

Citation : (2020) 02 MP CK 0089

Hon'ble Judges : Sheel Nagu, J;Rajeev Kumar Shrivastava, J

Bench : Division Bench

Advocate : Alok Sharma, Deepak Khot

Final Decision : Disposed Of

Judgement

Rajeev Kumar Shrivastava, J

1. This Public Interest Litigation has been filed by the petitioner being aggrieved by inaction on the part of the authorities of Municipal Corporation,

Gwalior, specially in regard to illegal hoardings.

2. In the present petition, this Court on 12.12.2019 had directed as under :-

â??Photographs taken pursuant to the order of this court passed on 13/11/2019 have been brought on record by petitioner alongwith an affidavit filed

in support of the said photographs, which reveals that all the hoardings shown in the photographs are standing in violation of the Madhya Pradesh

Outdoor Advertisement Media Rules, 2017.

The petitioner is directed to bring on record any other material or evidence that he has to establish that hoardings shown in the photographs are illegal.

Learned counsel for Municipal Corporation is also directed to file an affidavit of

the Commissioner of Municipal Corporation as to whether contention of petitioner in the said affidavit as reflected from the photographs is correct or not.â??

3. Thereafter, in compliance of the aforesaid order the petitioner has filed response/objection vide document No.1245/2020. Along with the objection, the petitioner has also filed a list of hoardings installed in the city of Gwalior against the Madhya Pradesh Outdoor Advertisement Media Rules, 2017 (hereinafter referred to as the 'Rules of 2017').

4. Municipal Corporation Gwalior vide Document No.1985/2020 has submitted reply to the objection submitted by the petitioner (vide document No. 1245/2020).

5. Learned counsel for the respondents has stated that the petitioner was directed by this Court to submit report regarding illegal hoardings, supported by his affidavit, whereas the petitioner has raised some objections stating that the respondents are not complying with Rules 26(1), 26(14), 27(2-c), 28(1-a) and 28(2) of the Rules of 2017 and has assured this Court that respondents shall comply with the provisions of the Rules of 2017 in letter and spirit.

6. In the above facts and circumstances of the case, we are inclined to dispose of this petition with direction that the provisions of Madhya Pradesh Outdoor Advertisement Media Rules, 2017 be complied with in their right perspective and the respondents shall control and regulate installation of unauthorised hoardings/flex if found, in accordance with the aforesaid Rules of 2017.

7. We trust and hope that the respondents shall make every possible endeavour to see that no hoarding/flex is installed illegally or unauthorisedly in violation of the Rules of 2017.

8. Accordingly, this writ petition is disposed of. However, it is made clear that the respondents shall submit progress report every three months before the Principal Registrar of this Court. In case of non-compliance or compliance is found to be amiss, the Principal Registrar is hereby directed to list this case before the Bench under caption 'Direction'.