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**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE PRANAY VERMA**

**ON THE 27<sup>th</sup> OF MARCH, 2024**

**WRIT PETITION No. 8315 of 2024**

**BETWEEN:-**

1. **AJAY HURKUTE S/O SHRI BASANTRAO HURKUTE,  
AGED ABOUT 34 YEARS, OCCUPATION: BUSINESS  
R/O 113 MARWARI AGRAWAL NAGAR INDORE  
(MADHYA PRADESH)**
2. **SMT. UMA JAT W/O SHRI VIKRAM JAT, AGED  
ABOUT 36 YEARS, OCCUPATION: HOUSEWIFE R/O  
301 AMBIKAPURI EXTENSION INDORE (MADHYA  
PRADESH)**
3. **MUKESH PAWAR S/O SHRI DALURAM PAWAR,  
AGED ABOUT 52 YEARS, OCCUPATION:  
ELECTRICIAN R/O 205 VYANKTESH NAGAR  
EXTENSION INDORE (MADHYA PRADESH)**
4. **JITENDRA RATHORE S/O SHRI BABULAL  
RATHORE, AGED ABOUT 31 YEARS, OCCUPATION:  
BUSINESS R/O 221 E BLOCK NAINOD MULTI  
GANDHI NAGAR INDORE (MADHYA PRADESH)**
5. **MS. SONALI PURI D/O SHRI DINESH PURI, AGED  
ABOUT 20 YEARS, R/O 26 GANGA NAGAR  
AIRPORT ROAD INDORE (MADHYA PRADESH)**
6. **SMT. RADHA BAI GOYAL W/O SHRI TEKCHAND  
GOYAL, AGED ABOUT 63 YEARS, OCCUPATION:  
HOUSEWIFE R/O PRAJAPAT COLONY NEAR  
DWARKAPURI INDORE (MADHYA PRADESH)**

**.....PETITIONERS**

**(SHRI RISHI TIWARI - ADVOCATE FOR THE PETITIONER )**

**AND**

1. **INDORE MUNICIPAL CORPORATION  
COMMISSIONER INDORE MUNICIPAL  
CORPORATION INDORE (MADHYA PRADESH)**

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2. COMMISSIONER INDORE MUNICIPAL CORPORATION INDORE (MADHYA PRADESH)
  3. BUILDING OFFICER ZONE NO. 16 INDORE MUNICIPAL CORPORATION INDORE (MADHYA PRADESH)
  4. BUILDING INSPECTOR ZONE NO. 16 INDORE MUNICIPAL CORPORATION INDORE (MADHYA PRADESH)

.....RESPONDENTS

.....

*This petition coming on for admission this day, the court passed the following:*

**ORDER**

Heard.

By this petition preferred under Article 226 of the Constitution of India, the petitioners have prayed for the following reliefs:-

- "a) Issue an appropriate writ, order or direction to quash the impugned orders dated 16.03.2024 (Annexure P/1) .
- b) Issue an appropriate writ, order or direction to restrain the respondents from demolishing the houses of the petitioners.
- c ) Issue an appropriate writ, order or direction to the respondents to not take any action against the constructions of the petitioners without granting opportunity of hearing and passing a speaking order.
- d) Any other relief which this Hon'ble Court deems fit may kindly be granted.
- e) Costs of the petition may kindly be awarded to the petitioners.

Learned counsel for the petitioners submits without issuance of any show cause notice to the petitioners and without affording any opportunity of hearing to them, the impugned notices dated 16.03.2024 Annexure P-1 have been issued.

It is submitted that the respondents are attempting to demolish the property of the petitioners without taking recourse to law.

In the available facts and circumstances of the case, it is directed that in case, the petitioners file their reply to the notices Annexure P-1 within a period of 10 days from today along with all requisite documents, then the said reply along with the documents shall be considered in an objective manner by the respondents and the petitioners shall be afforded due opportunity of hearing and thereafter, only a final speaking and a reasoned order in the matter shall be passed by the respondents. Till then no coercive action be taken against the petitioners.

In case, the final order is against the petitioner, then they shall be afforded a breathing time of 10 days for challenging the same in accordance with law.

With the aforesaid, without expressing any opinion on the merits of the case, the petition stands **disposed of**.

(PRANAY VERMA)  
V. JUDGE