

W. P. No.8407/2011

(Kishore Joshi & Ors. Vs. State of MP & Ors.)

30.09.2013

Smt. Shobha Menon, learned Senior Counsel with Shri Rahul Choubey for the petitioners.

Shri Swapnil Ganguly, learned Panel Lawyer for the respondent/State.

Shri Manas Verma learned counsel for the respondents.

The learned counsel for the respondents points out that the present petition has been filed against notices issued by the respondent Municipal Corporation, Kolar, District Bhopal to the petitioners for taking action regarding establishing commercial complexes and doing business in the parking space. It is submitted that in view of the interim order passed by this Court, proceedings initiated in April 2011 are still pending before the authorities and in such circumstances the petition be disposed of with liberty to the respondent authorities to decide the proceedings in accordance with law after following the procedure prescribed thereunder and after giving due opportunity of hearing to the petitioners.

The learned Senior Counsel for the petitioners has no objection to the same. She, however, submits that the interim order granted by this Court

be directed to be continued till decision of the matter by the competent authority.

In view of the aforesaid statement of the learned counsel for the parties the petition, filed by the petitioners, is disposed of with a direction to the effect that the respondent authorities shall now proceed to take up further proceedings pursuant to the impugned notices, Annexure P-1 to P-13, after following the procedure prescribed by law and after giving due opportunity of hearing to the petitioners and till decision in the matter the interim orders passed by this Court on 2.6.2011 shall continue to remain in operation.

With the aforesaid direction, the petition, filed by the petitioners stands disposed of.

C.C as per rules.

(R.S. JHA)
J U D G E

mms/-