

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

WP No. 12234 of 2019

(RAJLAXMI FOUNDATION Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 01-12-2025

Shri Ajay Bagadia - Sr. Advocate with Ms.Shirin Silawat - Advocate
for the petitioner.

Shri Ashutosh Gondli - Advocate for respondent No.6.

Shri Bhuwan Gautam - GA for respondent No.3.

On 26.11.2025, a prayer was made for exemption from personal appearance of the aforesaid officers and exemption was allowed and they were directed to appear today before the Court.

In compliance with the order dated 26.11.2025, Collector Indore and Commissioner, Municipal Corporation, Indore are present in the Court.

Counsel for the State apprised that an agency for the removal of the BRTS Corridor has been finalised and a contract has been entered into with him for the removal of the aforesaid BRTS constructions on 7.11.2025. As per the contract, he has to remove the same within three months from 7.11.2025.

During the course of the hearing, Commissioner, Indore Municipal Corporation stated that one side removal of the BRTS construction with all efforts will be done within a period of 15 days from today. He also stated that the contractors for construction after removal work are yet to be finalised, and they will make all efforts to finalise them for the said work expeditiously.

Counsel for the petitioner argued that this Court passed the order on 17.11.2025, considering the order passed by the Co-ordinate bench in WP No.36413/2024, which is reproduced as under:-

"Learned counsel for the petitioner submitted that in Writ Petition No. 36413/2024 on 27/02/2025 has passed the following order:

"5. Since the Petitioners, the Committee and the respondent/State is of the view that the BRTS Project in Indore city is of no use and accordingly, the State and stakeholders are directed to remove the same as per the policy decision already taken by the respondent/State. The respondent/State shall take steps accordingly."

It is argued that despite being the order being passed by the Court in the month of February, 2025 for last near about nine months, no steps have been taken to remove the BRTS Corridor, which is causing a great inconvenience to the public. Apart from that, public are being Challan for using the BRTS Corridor by the police personnel.

Learned counsel for the State / Corporation submitted that earlier two times tenders were issued for engaging an Agency for removal of BRTS Corridor but the same could not be finalized. He submits that now in the third round in pursuant to the letters, NIT has been finalized and Agency has also started the work of removal.

Per contra, learned Senior Counsel for the petitioner argued that atBhopal, in compliance of the same order BRTS Corridor was removed immediately.

Considering the same, we direct that Collector, Indore and Commissioner, Indore Municipal Corporation, Indore shall remain personally present before this Court on the next date of hearing to address this Court on the same issue."

After hearing the Collector and Commissioner, Municipal Corporation, Indore and considering the statement of the Commissioner, Municipal

Corporation Indore that the removal of BRTS corridor of one side of Indore City shall be completed within 15 days from today, we adjourn the hearing of the case for 15 days from today so as to enable him to submit a report of the removal of BRTS corridor of one side before the next date.

We also deem it necessary to appoint a Committee of Lawyers to monitor the said work of removal and to submit a report before this Court on the next date. The said Committee shall comprise of following members under the chairmanship of Shri Girish Patvardhan, Senior Advocate:-

- [1] Shri N.S. Bhati, Advocate
- [2] Shri Kaustubh Pathak, Advocate
- [3] Shri Ajay Raj Gupta, Advocate
- [4] Shri Pradyumna Kibe, Advocate
- [5] Shri Jay Sharma, Advocate

The other issues have also been argued during the course of the hearing:-

[1] The construction of illegal religious structures encroaching on the public road, gardens etc.

[2] The sound pollution as loudspeakers are being used beyond the time fixed for using them and the permissible decibel limit.

[3] Hazardous movement of traffic in Indore city due to non-deployment of adequate police personnel at main crossings.

Learned counsel for petitioners in the present case and representing in the other connected PILs are asked to submit their precise grievances crystallising under different headings before the next date, so that a proper

response can be sought from the respondents.

The respondents are granted time to submit a reply to the pending I.As before the next date.

On the next date, the Collector, Indore, the Commissioner, Municipal Corporation, Indore and the DCP (Traffic), Indore, shall also remain present before this court.

A copy of this order will be communicated by counsel for the State to all those concerned to remain present on the next date.

List on 16.12.2025.

(VIJAY KUMAR SHUKLA)
JUDGE

(BINOD KUMAR DWIVEDI)
JUDGE

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