

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

WP No. 37216 of 2024

(ANITA MAHAWAR AND OTHERS Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 06-08-2026

Shri Anshuman Singh with Shri Aditya Awasthi - Advocates for petitioners.

Shri Ajay Ojha - Govt. Advocate for respondents/State.

Shri Saurabh Sunder - Advocate for respondent No.3/Corporation.

Shri Hitendra Kumar Golhani - Advocate for respondent No.9.

Shri Akshay Namdeo - Advocate for proposed intervenor.

I.A. No. 18778 of 2026 - an application for intervention, will be considered on the next date of hearing.

In pursuance to the order dated 05.08.2026, the Commissioner, Municipal Corporation Jabalpur and Superintendent of Police Jabalpur are present before this Court. It is pointed out that an FIR being Crime No. 338 of 2026 has been registered against the builders for the offence under Section 292-C of the M.P. Municipal Corporation Act, 1956 at Police Station Gaurighat District Jabalpur. The matter is taken up for investigation. It is also pointed out that in pursuance to the various orders passed from time to time, demolition drive has been initiated against illegal constructions. Attention is invited to the order dated 15.05.2025 wherein the coordinate Bench of this Court directed that "Corporation as well as respondent No. 6 shall ensure that no further construction be made in respect of houses where owner is not having any sanctioned map or permission from

Municipal Council".

A specific query is put to the counsels appearing for the Municipal Corporation as well as for the State to point out that what further constructions have taken place after 15.05.2025. There is no material placed on record to substantiate the same. Only a *panchanama* could be pointed out by the counsel for the Municipal Corporation uploaded in the reference column of ERP dated 24.06.2025 wherein it is mentioned that "स्थल पर निर्माण/विकास कार्य बंद है ।" This does not show that any further constructions are carried out after 15.05.2025.

Counsel appearing of the Municipal Corporation has drawn attention of this Court to the letter dated 10.02.2025 (Document 3 in reference column of ERP) addressed to the District Registrar informing that there are illegalities and no permission has been granted and the colony has been developed unauthorizedly, therefore, request is made not to execute any further sale deed in the matter. In spite of the same, sale deeds were executed subsequently in the year 2026 which is clearly reflected from the documents placed on record by the intervenor.

However, there is no document on record to show the further constructions after 15.05.2025 coupled with the fact that after 15.05.2025, two constructions which were carried out have already been demolished by the authorities; one building has been demolished today; now four structures remains to be demolished.

Looking to the overall facts and circumstances of the case, this Court deems it appropriate to direct the authorities to lay off their hands from

demolishing the property any further till the next date of hearing.

The respondent No.5-Collector District Jabalpur is directed to constitute a team for carrying out an enquiry into the matter with respect to any further construction to be carried out after 15.05.2025 and submit the report before this Court for perusal. The report should clearly reflect that when the constructions were completed, when the sale deeds were executed coupled with the fact that after the letter issued by the Corporation dated 10.02.2025, how the District Registrar executed the sale deeds with respect to the property in question.

Let the report be submitted within a period of 15 days from today.

List in the **week commencing 31.08.2026** for further consideration.

Interim relief granted on 15.05.2025 to continue till next date of hearing.

It is made clear that if the enquiry report is not submitted, the authorities are directed to remain present before this Court on the next date including respondent No.5.

(VISHAL MISHRA)
JUDGE