

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7357/2005

(From the judgement and order dated 23/03/2005 in WP No. 2054/2001 of The
HIGH COURT OF M.P AT GWALIOR)

MUKESH SINGH KUSHWAH & ORS.

Petitioner(s)

VERSUS

STATE OF M.P. & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to place addl. documents on record and
prayer

for interim relief and office report))

WITH SLP(C) NO. 20922-20923 of 2005

(With office report)

Date: 31/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. V.A. Mohta, Sr. Adv.

Mr. Pramit Saxena, Adv.

Mr. B.D. Jain, Adv.

Mrs. Anuradha Rustagi, Adv.

Mr. S.V. Deshpande, Adv.

rr inSLP(C)20922-23/05

Mr. B.S. Banthia, Adv.

Mr. Naveen Sharma, Adv.

For Respondent(s)

Mr.S.K. Gambhir, Sr. Adv.,

Mr.M.P. Jha, Adv.

Mr. Ram Ekbal Roy, Adv.

Mr. Harshvardhan Jha, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) No. 7357/2005

Having heard Mr. Mohta, learned senior counsel appearing on behalf of the petitioners and

Mr. Gambhir, learned senior counsel appearing on behalf of the respondent, we direct that the

petitioners may or through their representative/their counsel shall appear before the Commissioner of

Municipal Corporation on 10.8.2006, whereupon, the said authority shall hear them and pass an

appropriate order in accordance with law. It is made clear that no adjournment shall be taken by the

petitioners on that day. It will be open to the petitioners to file their written submissions, if they so

desire. We hope and trust that the Commissioner, Municipal Corporation, shall pass an appropriate

order at an early date. The special leave petition is disposed of accordingly.

SLP(C) No.20922-20923/2005

Having heard Mr. B.S. Banthia, learned counsel appearing for the State of Madhya Pradesh,

we, in modification of the impugned order passed by the High Court, direct that in the event any

obstruction is caused by any person, who in regard to the discharging of functions of any Public Servant

in removal of encroachment in terms of the order passed by the High Court, appropriate actions and, if

necessary, by filing a complaint in accordance with law shall be taken.

The special leave petitions are disposed of.

Bhardwaj)

(Meenu Sethi)

Court Master

(Pushap Lata

Court Master