

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL,
ORIGINAL APPLICATION NO. 07/2022 &
ORIGINAL APPLICATION NO. 12/2022

IN THE MATTER OF:

SUBHASH C PANDEY

.... APPLICANT

VERSUS

STATE OF MP & ORS

.... RESPONDENT

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Date: 16.09.2025

Place: Bhopal



Through Counsel
Prashant M. Harne
Standing Counsel
State of Madhya Pradesh

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 07/2022 &
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IN THE MATTER OF:

SUBHASH C PANDEY

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STATE OF MP & ORS

.... RESPONDENT

STATUS REPORT ON BEHALF OF STATE OF MADHYA
PRADESH

IT IS MOST RESPECTFULLY SUBMITTED HEREINUNDER:

1. That, Hon'ble NGT issued following directions on dated 07/05/2025 in the matter of OA 07/2022 & OA 12/2022 (CZ) Dr. Subhash C Pandey v/s State of MP & Others. :-

“2. Since, the matter is still pending before Hon'ble High Court, thus, put up with the latest status of the matter pending before Hon'ble High Court on the next date of listing.”

2. That, in compliance with the order passed by the Hon'ble National Green Tribunal (hereinafter referred to as “Hon'ble Tribunal”) dated 07.05.2025, the Respondent Bhopal Municipal Corporation (BMC) has submitted a detailed Status Report vide its communication dated

18.08.2025, pertaining to the issue of illegal constructions and the status of pending litigations before the Hon'ble High Court. The salient features of the said report are enumerated hereinbelow for the kind consideration of this Hon'ble Tribunal:

3. That, a total of 11 structures were identified on private land located within 33 meters of the Full Tank Level (FTL) of the Kaliyasot Reservoir.
4. That, consequent to such identification, the Building Permission Department of the BMC issued statutory notices under Section 307(2) of the Madhya Pradesh Municipal Corporation Act, 1956 to all the said eleven (11) private landowners on 11.09.2023, directing them to remove the unauthorized and illegal constructions erected on their respective parcels of land.
5. That, upon expiry of the notice period, final notices were issued to the said landowners on 21.09.2023, calling upon them to vacate and demolish the illegal constructions within the stipulated time frame.
6. That, out of the said eleven (11) cases, four (04) landowners have duly complied with the aforesaid notices and have removed the illegal constructions. However, the remaining seven (07) landowners have approached the Hon'ble High Court of Madhya Pradesh, Principal

Seat at Jabalpur, and have obtained interim stay orders restraining coercive action against them.

7. That, in view of the above, the BMC, through its authorized legal representative, has filed appropriate applications seeking vacation of stay orders and for early hearing and disposal of the pending writ petitions, before the Hon'ble High Court on 18.08.2025.
8. That, a copy of the letter dated 18.08.2025 issued by BMC, along with the copy of the said applications filed for vacation of stay orders, is marked and annexed herewith as **Annexure R-1**.
9. That, the present status report is being submitted for the kind perusal of this Hon'ble Tribunal. This Hon'ble Tribunal may, therefore, take the present status report on record and pass any appropriate order(s) that it may deem fit, which will be complied with by Respondent Authorities.

Date: 16.09.2025

Place: Bhopal



**Through Counsel
Prashant M. Harne
Standing Counsel
State of Madhya Pradesh**

1599

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL,
ORIGINAL APPLICATION NO. 07/2022 &
ORIGINAL APPLICATION NO. 12/2022**

**IN THE MATTER OF:
SUBHASH C PANDEY
STATE OF MP & ORS**

VERSUS

**.... APPLICANT
.... RESPONDENT**



AFFIDAVIT

I, Brajesh Sharma , Regional Officer, Regional Office Bhopal MPPCB, and Officer-in-Charge, Age: 59 Years, office at E-5 Arera Colony, Paryawaran Parisar, Regional Office, , Madhya Pradesh Pollution Control Board, , Bhopal do hereby solemnly affirm on oath as under:

1. That I am Officer in Charge to represent this case on behalf of State of Madhya Pradesh in the present matter, and am fully conversant with the facts of the case and hence competent to swear on this affidavit.
2. That I am filing a Reply in the aforementioned matter before the Hon'ble Tribunal the contents of which are true and correct and no material fact.
3. That the contents of the Reply are true and correct and no material fact is concealed or suppressed.


DEPONENT
Regional Officer
M.P. Pollution Control Board
BHOPAL

VERIFICATION

I the above-named deponent do hereby verify that the contents of the affidavit above are true and correct.

Signed and verified on 16.09.2025 at Bhopal (MP).


DEPONENT
Regional Officer
M.P. Pollution Control Board
BHOPAL

**SIGNATURE ATTESTED
SWORN BEFORE ME**

RAJNI TELANG
NOTARY & ADVOCATE
144, Mahiya Nagar Bhopal M.P. India
Serial..... 410

IDENTITY BY ME
Name Ashok K Sharma
Address R10 M.P.C.B.
Signature Bhopal

16/09/2025



1600

Annexure-1

कार्यालय नगर पालिक निगम, भोपाल

भवन अनुज्ञा शाखा, शाहपुरा

क्र. 280/म.अ.शा./2025

भोपाल दिनांक 18/08/2025

प्रति,

क्षेत्रिय अधिकारी,
क्षेत्रिय कार्यालय,
म.प्र. प्रदूषण नियंत्रण बोर्ड,
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल

विषय:-

मान. राष्ट्रीय हरित अधिकरण, भोपाल बेंच के प्रकरण क्रमांक ओ.ए. न. 07/2022 (सीजेड) में पारित आदेश दिनांक 20.09.2023 के अनुपालन बाबत।

उपरोक्त विषयांतर्गत लेख है कि, मान. एन.जी.टी. में प्रस्तुत प्रकरण क्रमांक ओ.ए. न. 07/2022 में पारित आदेश द्वारा कलियासोत रिजरवायर के एफ.टी.एल. से 33 मीटर के दायरे में निर्मित भवनों को हटाये जाने हेतु आदेशित किया गया है।

मान. एन.जी.टी. द्वारा पारित आदेश के संबंध में अनुविभागीय अधिकारी टी.टी. नगर वृत्त, भोपाल द्वारा जारी पत्र क्र. 532 दिनांक 09.09.2023 में कलियासोत रिजरवायर के फुल टैंक सीमा के 33 मीटर के दायरे में चिन्हांकित निर्माण/संरचनाओं की जानकारी में कुल 11 संरचनाएँ निजी स्वामित्व की भूमि पर अवस्थित होने से भवन अनुज्ञा शाखा, नगर पालिक निगम, भोपाल द्वारा कुल 11 निजी स्वामित्व वाले भूमि स्वामियों को म.प्र. नगर पालिक निगम अधिनियम 1956 की धारा 307(2) के तहत दिनांक 11.09.2023 को अनधिकृत निर्माण हटाये जाने हेतु सूचना पत्र जारी किये गये। जारी सूचना पत्र की समयावधि समाप्त होने के उपरांत अनधिकृत निर्माणकर्ताओं द्वारा संचालित प्रतिष्ठानों को रिक्त किये जाने हेतु अंतिम सूचना पत्र दिनांक 21.09.2023 को जारी किये गये।

प्रकरण में 04 निजी भूमि स्वामियों द्वारा किया गया अवैध निर्माण हटा लिया गया है, शेष 07 निजी भूमि स्वामियों द्वारा मान. उच्च न्यायालय जबलपुर में याचिका प्रस्तुत कर निषेधाज्ञा (स्टे आर्डर) प्राप्त किया है। मान. उच्च न्यायालय में प्रचलित प्रकरणों में स्टे आर्डर समाप्त करने/प्रकरण का शीघ्र निराकरण किये जाने के लिये निगम अधिवक्ता के माध्यम से मान. उच्च न्यायालय में दिनांक 18.08.2025 को आवेदन प्रस्तुत किये गये है।

नगर निवेशक
नगर पालिक निगम, भोपाल



कार्यालय नगर पालिक निगम, भोपाल

भवन अनुज्ञा शाखा, शाहपुरा

।।संक्षेपिका।।

माननीय एन.जी.टी. में प्रस्तुत प्रकरण क्र. OA07/2022

(कलियासोत रिजर्वायर)

1. माननीय एन.जी.टी. में प्रस्तुत प्रकरण क्र. OA07/2022 में माननीय एन.जी.टी. द्वारा पारित आदेश के क्रम में अनुविभागीय अधिकारी टी.टी. नगर वृत्त भोपाल के द्वारा जारी पत्र क्र. 532 दिनांक 09/09/2023 द्वारा कलियासोत रिजर्वायर के एफ.टी.एल. से 33 मी. के दायरे में चिन्हांकन उपरांत शासकीय भूमि पर कुल 84 एवं 11 संरचनाएं निजी स्वामित्व की भूमि पर अवस्थित पाई गई, जिन पर टीनशेड, गेमजोन, बाउण्ड्रीवाल, रेस्टोरेन्ट, फिशफार्म आदि निर्माण किये गये है।
2. सर्वे उपरांत प्राप्त जानकारी के अनुसार भवन अनुज्ञा शाखा, नगर पालिक निगम, भोपाल द्वारा 11 निजी स्वामित्व वाले भूमि स्वामियों को मध्यप्रदेश नगर पालिक निगम अधिनियम 1956 की धारा 307 (2) के तहत दिनांक-11.09.2023 को सूचना पत्र जारी किये गये।
3. 07 निजी भूमि स्वामियों द्वारा माननीय उच्च न्यायालय जबलपुर में याचिकायें प्रस्तुत कर स्टे आर्डर प्राप्त किये गये हैं एवं 04 निजी भूमि स्वामियों द्वारा स्वयं 33 मीटर के दायरे में किये गये निर्माण को हटाया गया है।
4. माननीय उच्च न्यायालय जबलपुर में प्रचलित याचिकाओं में स्टे आर्डर को करने/प्रकरणों का शीघ्र निपटारा किये जाने के लिये निगम अधिवक्ता श्री संजय के. अग्रवाल के माध्यम में माननीय उच्च न्यायालय में दिनांक 18/08/2025 को आवेदन प्रस्तुत किये जा रहें है।

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24144/2023

PETITIONER : Sudhir Gupta

//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

APPLICATION FOR VACATING THE INTERIM ORDER DATED
22/09/2023

The answering Respondents most respectfully submits as under :-

1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



4. The instant matter was listed before this Hon'ble Court on 22/09/2023 whereby the Hon'ble Court has stayed the effect and operation of the impugned notice dt. 11/09/2023 with an observation that till next date of hearing the alleged construction relating to the petitioner shall not be demolished.
5. It is pertinent to mention here that the answering respondents have filed their detailed and exhaustive reply wherein the answering respondents have raised a preliminary objection with regard to maintainability of instant petition as the Petitioner has an alternative remedy of filing an Application under Section 307(5) of the *M.P. Municipal Corporation Act, 1956*.
6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
7. It is pertinent to mention here that it was found that the Petitioner is running a restaurant on a land which is situated within 33 meter of no construction zone of Kaliyasot river and therefore, in compliance of Orders passed by Ld. National Green Tribunal, the answering respondent took a decision to issue Petitioner a Notice under Section



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

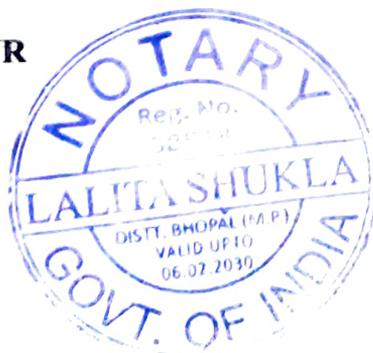
An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN
COUNSEL FOR RESPONDENT
NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24144/2023

PETITIONER : Sudhir Gupta

//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.

VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this _____ day of August, 2025 at Bhopal.

Sr. No. 419
Date 17/08/25

SWORN BEFORE ME
THE WITHIN NAMED

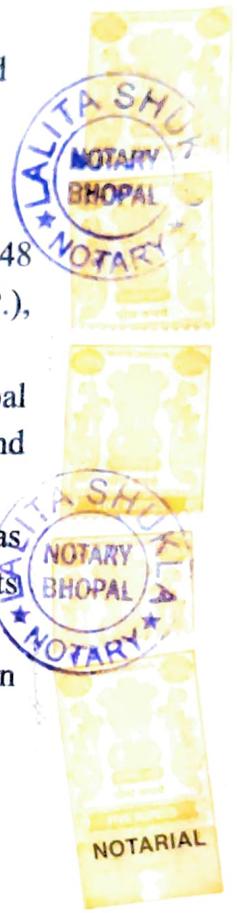
LALITA SHUKLA
NOTARY & ADVOCATE
BHOPAL (M.P.) INDIA

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल



17 AUG 2025



IDENTIFIED BY
SIGNATURE
NAME: Mayank Sharma
ADDRESS: E-7, Faridpur
Enclave, Kolar, Bhopal

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24093/2023

PETITIONER : Avdesh Agrawal

//VS//

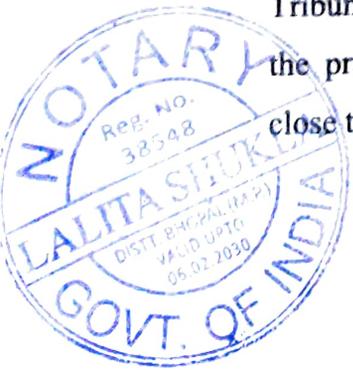
RESPONDENTS : Municipal Corporation Bhopal and
others

APPLICATION FOR VACATING THE INTERIM ORDER DATED

22/09/2023

The answering Respondents most respectfully submits as under :-

1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN
COUNSEL FOR RESPONDENT
NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24093/2023

PETITIONER : Avdesh Agrawal

//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.

VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this _____ day of August, 2025 at Bhopal

Sr. No. 1725/202
Date 17/08/25

SWORN BEFORE ME
THE WITHIN NAMED

LALITA SHUKLA
NOTARY & ADVOCATE
BHO PAL (M.P.) INDIA

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

17 AUG 2025

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24059/2023

PETITIONER : Vinit Ajmani

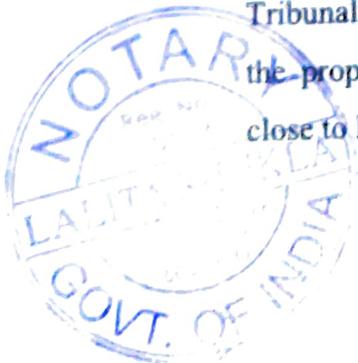
//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

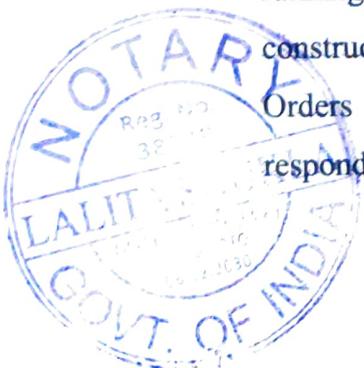
APPLICATION FOR VACATING THE INTERIM ORDER DATED
22/09/2023

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1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
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3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



4. The instant matter was listed before this Hon'ble Court on 22/09/2023 whereby the Hon'ble Court has stayed the effect and operation of the impugned notice dt. 11/09/2023 with an observation that till next date of hearing the alleged construction relating to the petitioner shall not be demolished.
5. It is pertinent to mention here that the answering respondents have filed their detailed and exhaustive reply wherein the answering respondents have raised a preliminary objection with regard to maintainability of instant petition as the Petitioner has an alternative remedy of filing an Application under Section 307(5) of the *M.P. Municipal Corporation Act, 1956*.
6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
7. It is pertinent to mention here that it was found that the Petitioner is running a restaurant on a land which is situated within 33 meter of no construction zone of Kaliyasot river and therefore, in compliance of Orders passed by Ld. National Green Tribunal, the answering respondent took a decision to issue Petitioner a Notice under Section



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN

COUNSEL FOR RESPONDENT

NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24059/2023

PETITIONER : Vinit Ajmani

//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.

VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

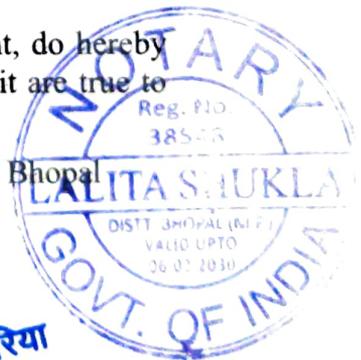
Verified and signed on this ⁴²¹ day of August, 2025 at Bhopal

Date: 12/08/2025
SWORN BEFORE ME
THE WITHIN NAMED

LALITA SHUKLA
NOTARY & ADVOCATE
BHOPAL (M.P.) INDIA

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल



17 AUG 2025

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24123/2023

PETITIONER : Sushma Pathak

//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

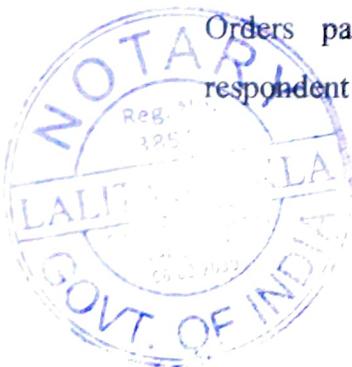
APPLICATION FOR VACATING THE INTERIM ORDER DATED
22/09/2023

The answering Respondents most respectfully submits as under :-

1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



4. The instant matter was listed before this Hon'ble Court on 22/09/2023 whereby the Hon'ble Court has stayed the effect and operation of the impugned notice dt. 11/09/2023 with an observation that till next date of hearing the alleged construction relating to the petitioner shall not be demolished.
5. It is pertinent to mention here that the answering respondents have filed their detailed and exhaustive reply wherein the answering respondents have raised a preliminary objection with regard to maintainability of instant petition as the Petitioner has an alternative remedy of filing an Application under Section 307(5) of the *M.P. Municipal Corporation Act, 1956*.
6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
7. It is pertinent to mention here that it was found that the Petitioner is running a restaurant on a land which is situated within 33 meter of no construction zone of Kaliyasot river and therefore, in compliance of Orders passed by Ld. National Green Tribunal, the answering respondent took a decision to issue Petitioner a Notice under Section



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

P R A Y E R

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN

COUNSEL FOR RESPONDENT

NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24123/2023

PETITIONER : Sushma Pathak

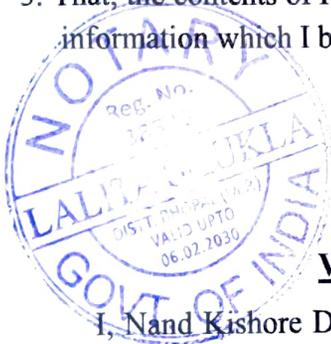
//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.



VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this 17 day of August, 2025 at Bhopal

Sr. No. 425/202
Date 17/08/25

SWORN BEFORE ME
THE WITHIN NAMED

LALITA SHUKLA
NOTARY & ADVOCATE
BHOPAL (M.P.) INDIA

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

17 AUG 2025

एन. के. डेहरिया
कार्यपालन यंत्री
भोपाल

IDENTIFY BY

SIGNATURE

NAME: Mayank Sharma
ADDRESS: F-7, Fortune
Enclave, Kotar Bhopal

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24111/2023

PETITIONER : Shikha Mahendra Singh

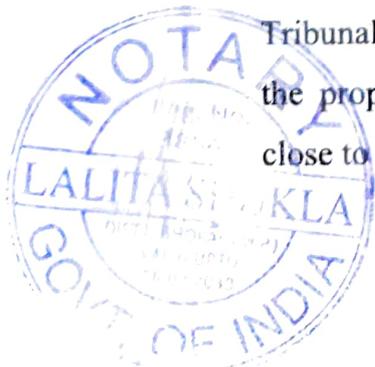
//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

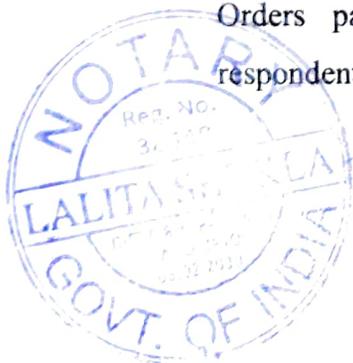
APPLICATION FOR VACATING THE INTERIM ORDER DATED
22/09/2023

The answering Respondents most respectfully submits as under :-

1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



4. The instant matter was listed before this Hon'ble Court on 22/09/2023 whereby the Hon'ble Court has stayed the effect and operation of the impugned notice dt. 11/09/2023 with an observation that till next date of hearing the alleged construction relating to the petitioner shall not be demolished.
5. It is pertinent to mention here that the answering respondents have filed their detailed and exhaustive reply wherein the answering respondents have raised a preliminary objection with regard to maintainability of instant petition as the Petitioner has an alternative remedy of filing an Application under Section 307(5) of the *M.P. Municipal Corporation Act, 1956*.
6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
7. It is pertinent to mention here that it was found that the Petitioner is running a restaurant on a land which is situated within 33 meter of no construction zone of Kaliyasot river and therefore, in compliance of Orders passed by Ld. National Green Tribunal, the answering respondent took a decision to issue Petitioner a Notice under Section



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN

COUNSEL FOR RESPONDENT

NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24111/2023

PETITIONER : Shikha Mahendra Singh

//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.

VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this _____ day of August, 2025 at Bhopal

SIGNATURE: 
NAME: Mayank Shukla
ADDRESS: Flat, Fortune
Englgr, Kolar Bhopal

Sr. No. 424 /202
Date: 17/08/25

SWORN BEFORE ME
THE WITHIN NAMED

LALITA SHUKLA
NOTARY & ADVOCATE
BHOPAL (M.P.) INDIA

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल

17 AUG 2025

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24098/2023

PETITIONER : Mamta Yadav

//VS//

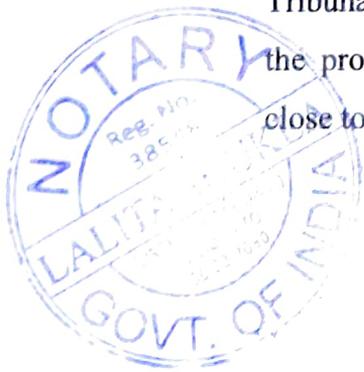
RESPONDENTS : Municipal Corporation Bhopal and
others

APPLICATION FOR VACATING THE INTERIM ORDER DATED

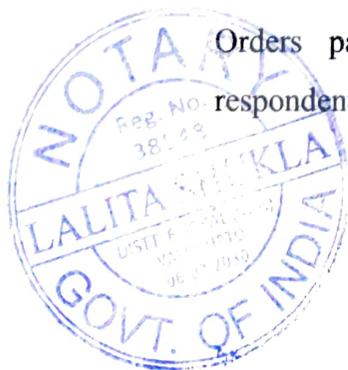
22/09/2023

The answering Respondents most respectfully submits as under :-

1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



4. The instant matter was listed before this Hon'ble Court on 22/09/2023 whereby the Hon'ble Court has stayed the effect and operation of the impugned notice dt. 11/09/2023 with an observation that till next date of hearing the alleged construction relating to the petitioner shall not be demolished.
5. It is pertinent to mention here that the answering respondents have filed their detailed and exhaustive reply wherein the answering respondents have raised a preliminary objection with regard to maintainability of instant petition as the Petitioner has an alternative remedy of filing an Application under Section 307(5) of the *M.P. Municipal Corporation Act, 1956*.
6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
7. It is pertinent to mention here that it was found that the Petitioner is running a restaurant on a land which is situated within 33 meter of no construction zone of Kaliyasot river and therefore, in compliance of Orders passed by Ld. National Green Tribunal, the answering respondent took a decision to issue Petitioner a Notice under Section



307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
9. At this stage it is also submitted that the reply filed by the answering respondent be read as part and parcel of the present application.
10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN
COUNSEL FOR RESPONDENT
NO. 1 & 2

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24098/2023

PETITIONER : Mamta Yadav

//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.

VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this 17th day of August, 2025 at Bhopal

Date: 17/08/25
SWORN BEFORE ME
THE WITHIN NAMED

LALITA SHUKLA
NOTARY & ADVOCATE
BHOPAL (M.P.) INDIA

IDENTIFY BY
SIGNATURE: *[Signature]*
NAME: Mayank Sharma
ADDRESS: A-7, Fort
Enclave, Kolar, Bhopal

एन. के. डेहरिया
कार्यपालन यंत्री
नगर निगम, भोपाल
17 AUG 2025

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24101/2023

PETITIONER : Arvind Agrawal

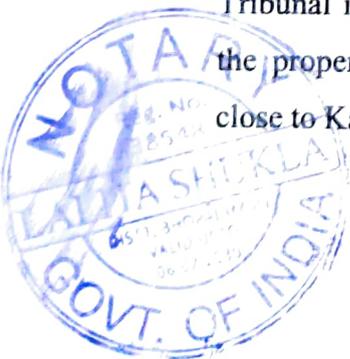
//VS//

RESPONDENTS : Municipal Corporation Bhopal and
others

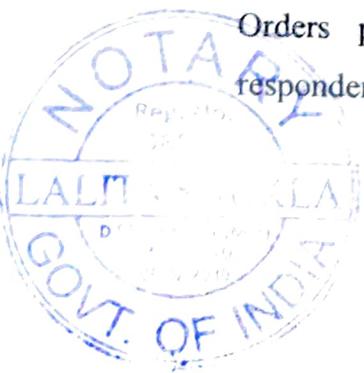
APPLICATION FOR VACATING THE INTERIM ORDER DATED
22/09/2023

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1. The Petitioner has filed the present petition challenging the impugned notice dt. 11/09/2023 issued by the answering Respondent under Section 307 of *M.P. Municipal Corporation Act, 1956* whereby, the Petitioner has been directed to remove construction as the same falls within 33 metre limit from the Kaliyasot River failing which the same will be demolished.
2. It is the contention of Petitioner that the impugned Notice has been issued without affording any opportunity of hearing and thus the said notice is issued contrary to Clause 4.47 A and 4.47 B of Bhopal Development Scheme, 2005.
3. It is further contended by the Petitioner that he was not a party before the Ld. National Green Tribunal; therefore, any Order passed by the Ld. Tribunal is not binding on him. The Petitioner has also contended that the property where the Petitioner has raised construction is nowhere close to Kaliyasot river and hence, there is no violation on his part.



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6. It is further submitted that the impugned Order has been issued in the light of pendency of execution proceedings before the NGT which have already directed the authorities to develop a green belt on an area of 33 m. on both sides of the course of Kaliyasot river and if any encroachment is found then it has to be removed in light of Order dt. 11.08.2023 passed in Execution Application no. 1/23(CZ). Since the action has been taken pursuant to order passed by NGT, therefore another appropriate remedy for the Petitioner is to approach NGT. Hence, for this reason also, the instant petition is not maintainable.
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307(2) of *M.P. Municipal Corporation Act, 1956* for removal of construction.

8. Hence, it will be seen that the answering respondent acted only on the basis of instructions and directions received by the revenue authorities who after demarcation came to a conclusion that the construction raised by Petitioner falls within a distance of 33 meter of no construction zone of Kaliyasot Dam and which in compliance of Orders passed by Ld. Tribunal ought to be removed for which the answering Respondent is following due procedure of law.
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10. For the submissions made hereinabove, the instant petition is thus totally bereft of merit and therefore the interim order dt. 22/09/2023 deserves to be vacated by this Hon'ble Court.

An Affidavit in support is filed herewith.

PRAYER

In view of the aforesaid submissions, it is most respectfully prayed that the instant application be allowed and the interim order dt. 22/09/2023 be vacated in the interest of justice.

JABALPUR

DATED:



YASHOVARDHAN JAIN

**COUNSEL FOR RESPONDENT
NO. 1 & 2**

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR

W.P. No. 24101/2023

PETITIONER : Arvind Agrawal

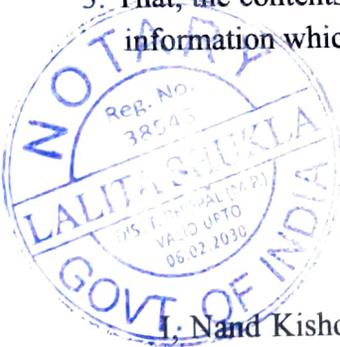
//VS//

RESPONDENTS : Municipal Corporation Bhopal and others

AFFIDAVIT

I, Nand Kishore Dehariya S/o Shri Nanhoo Dehariya aged about 48 years, posted as Executive Engineer, Municipal Corporation, Bhopal (M.P.), do hereby make oath and state as under:

1. That, the deponent is the OIC for Municipal Corporation, Bhopal (Respondent No. 1) and Respondent no. 2 in the instant Petition and hence competent to swear this Affidavit on oath.
2. That the accompanying application for vacating the interim order has been drafted on my instructions and I have read & understood its contents.
3. That, the contents of Para 1 to end of the attached return are based on information which I believe to be true.



VERIFICATION

I, Nand Kishore Dehariya, the above named deponent, do hereby verify that the contents of Para 1 to 3 of the above Affidavit are true to my personal knowledge.

Verified and signed on this _____ day of August, 2025 at Bhopal

Sr. No. 422/202
 Date 17/08/2025

SWORN BEFORE ME
 THE WITHIN NAMED

LALITA SHUKLA
 NOTARY & ADVOCATE
 BHOPAL (M.P.) INDIA

एन. के. डेहरिया
 कार्यपालन यंत्री
 नगर निगम, भोपाल

एन. के. डेहरिया
 कार्यपालन यंत्री
 नगर निगम, भोपाल

17 AUG 2025

IDENTIFY BY
 NAME: Mayank Sharma
 ADDRESS: E-7, Footpath
 Enclave, Kolar Bhopal