



2025:AHC:201433-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 38359 of 2025

Mohd. Shahid And 7 Others

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Vijai Shanker Tripathi, Vinod Shankar Tripathi
Counsel for Respondent(s)	: Shyam Mani Shukla, C.S.C.

Court No. - 4

**HON'BLE AJIT KUMAR, J.
HON'BLE SATYA VEER SINGH, J.**

1. Heard Mr. Vinod Shankar Tripathi, learned counsel appearing for the petitioners. Mr. Shyam Mani Shukla, learned counsel appearing for the concerned local body and learned Standing Counsel for the State respondents.

2. By means of this writ petition filed under Article 226 of the Constitution of India petitioners have questioned the notice dated 9.10.2025, whereby they have been directed to remove their illegal constructions within a period of 15 days. It is also contended by learned counsel for the petitioners that municipal taxes are being charged by the Municipality concerned and thus the constructions virtually stand regularised. It is argued on behalf of the petitioners that the notice is in fact in the form of an order passed by the authority and hence it is unsustainable for want of compliance of principles of natural justice.

3. *Per contra*, it is submitted on behalf of the contesting respondent local body by Mr. Shyam Mani Shukla, learned advocate as well as learned Additional Chief Standing Counsel that since petitioners have already approached the authority by filing reply, the matter of show cause notice may be directed to be disposed of in accordance with law, provided each petitioner makes his individual reply to the notice.

4. In view of the above, this writ petition stands disposed of with the direction to the petitioners to make their individual reply to the notice dated

9.10.2025 within a period of four weeks from today and in the event they submit reply, the authority competent in the matter i.e. respondent no.4 shall dispose of the matter of show cause notice dated 9.10.2025, within a further period of two months by means of a reasoned and speaking order and that too after giving reasonable opportunity of personal hearing to the petitioners. We further provide that for a period of three months from today or till the decision is taken by the competent authority whichever is earlier, no coercive action shall be taken against the standing constructions of the petitioners in pursuance of the notice dated 9.10.2025.

5. Learned Additional Chief Standing Counsel Sri P.K. Shahi representing the State respondents and Sri Shyam Mani Shukla, learned Standing Counsel shall immediately intimate this order to the authorities of District Bareilly so as not to carry out any demolition activities in the matter of standing constructions in which the petitioners are residing.

(Satya Veer Singh,J.) (Ajit Kumar,J.)

November 13, 2025

Kpy