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WP-6011-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

&

HON'BLE SHRI JUSTICE ALOK AWASTHI

ON THE 5th OF MARCH, 2026WRIT PETITION No. 6011 of 2026*MUKESH KUMAR KHOTE AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Rishabh Gupta - Advocate for the petitioners.

Shri Kushal Goyal - Deputy Advocate General for the respondents

No.1, 2 and 4 / State on advance notice.

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ORDER

Per. Justice Vijay Kumar Shukla

The present Writ Petition is filed in the nature of Public Interest Litigation alleging illegal encroachment on public road and failure of the authorities.

2. It is stated that despite sanction of Rs.12 Lakhs under the Mukyamantri Kayakalp Yojana for construction of CC Road, Drainage and Sanitation Facilities, the work remained incomplete due to unauthorized construction over approximately 45 feet of public road. It is further alleged that encroachment includes leakage of septic tank resulting in sever public health hazards, spread of diseases and obstruction of access for residents largely belonging to SC and OBC communities.



3. Learned counsel for the petitioners submitted that despite repeated representations / complaints and official communications, the District Authorities have failed to remove the encroachment. He has drawn the attention of this Court towards Annex.-P/1, which is a letter written by Chief Municipal Officer, Municipal Council, Barwaha to Sub Divisional Officer, Public Works Department, Barwani stating about the encroachments and asking him to get remove the encroachment so that the construction work can be carried out.

4. Considering the aforesaid, present petition is disposed of with a direction to the respondents No.4 and 5 to ensure removal of encroachment on the alleged road in accordance with law, within a period of four weeks from today.

5. With the aforesaid, writ petition stands disposed of.

(VIJAY KUMAR SHUKLA)
JUDGE

(ALOK AWASTHI)
JUDGE

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