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IN THE HON'BLE HIGH COURT OF JUDICATURE  
M.P. JABALPUR BENCH AT GWALIOR

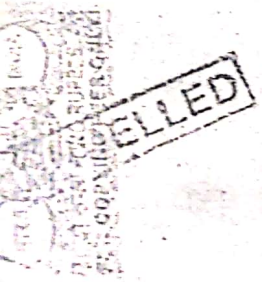
Contempt Petition No. 148 /2008

Rajesh Thakur Son of Shri R.V.  
Singh , Aged 30 years, Occupation-  
Business, Resident of Chawri  
Bazar, Lashkar, Gwalior.

---Applicant/Petitioner.

Versus

1. Rakesh Shrivastava  
Collector District Gwalior  
Gwalior (M.P.)
2. Vijay Kumar Suryawanshi  
Supdt. of Police  
District Gwalior  
Gwalior (M.P.)
3. Dr. Pawan Sharma  
Commissioner Municipal Corpn.  
Gwalior (M.P.)
4. Rakesh Chandra Sahasr  
Principal Secretary,  
Dept. of Urban Administration and  
Development, Govt. of M.P.  
Bhopal



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(2)

Contempt Petition under Article 215 of  
Constitution of India read with Section 10 and 12 of  
the Contempt of Courts Act for non-compliance of  
the order of this Hon'ble Court passed on 6.8.2007  
by D.B. in W.P. (PIL) No. 302/2000.

May it please this Hon'ble Court,

The humble petitioner submits this Contempt Petition  
as under:-

1. That, the petitioner filed a petition W.P. (PIL) No. 302/2000 which was finally decided by Hon'ble D.B. comprising of Justice Shri Subhash Samvatsar and Justice Shri Sanjay Yadav on 6.8.2007. The certified copy of the order is filed herewith as Annexure A-1.
2. That, the PIL was filed against illegal business of slaughter of animals and sale of meat at Chawri Bazar, Gwalior against the provisions of M.P. Municipal Corporation Act 1956.
3. That, admittedly no licences have been issued by the Municipal Corporation Gwalior for slaughtering and sale of meat.

That, the concerned byclaws framed by Municipal



(DB: HON. SHRI ABHAY GOHIL & HON. SHRI SANJAY YADAV, JJ)

26/06/2008

Shri S.B.Gupta, Advocate with Shri S.K.Gupta,  
Advocate for the Petitioner.

Shri Vivek Khedkar, Govt. Advocate for respondents  
No.2 & 4/State.

Shri P.N.Kelkar, Advocate with Shri P.D.Bidua,  
Advocate for respondent No.3.

Respondent No.3-Dr. Pawan Sharma, Commissioner  
Municipal Corporation is present in person.

None for other respondents.

Today, respondent No.3-Dr. Pawan Sharma,  
Commissioner, Municipal Corporation has filed reply in the  
contempt petition. In reply he has submitted that the order  
passed by this Court on 6.8.2007 was subsequently  
modified on the basis of the application filed by some of the  
shopkeepers and by subsequent order dated 15.5.2008 the  
Court permitted the shopkeepers to carry on their business  
at the present place. From this order, it is clear that only  
four petitioners were permitted to run the shop in Chhawdi  
Bazar Area and the others were not permitted and on the

Gwalior against the shopkeepers of Chhawdi Bazar as well as other shopkeepers for selling the meat in Gwalior city. The Commissioner has submitted that so far as permission for Awadpura is concerned, there was agitation by the residents of Awadpura area, therefore, a request was made to the Collector to allot some land for slaughter house and meat market in the area of Gudi Guda Ka Naka and Collector has allotted the land for that purpose. It is assured by the respondents that they will see that except at Gudi Guda Ka Naka, no permission shall be granted by the Corporation for any other place and no licence shall be granted. It is submitted that the Corporation will not open a



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ANNEXURE- C

HIGH COURT OF MADHYA PRADESH

CASE NO. Cont.Pet: No.148/08 OF 200

ORDER SHEET (Continuation)

Date & S. No. of the order.

3 Order

Chhawdi Bazar area or in Awadpura area they will not establish any slaughter house and they will not permit selling of meat in that area and they will strictly follow the provisions of the act as well as bye-laws and the rules and will not issue licence or permit selling of meat or slaughtering the animals at any place except at Gudi Guda Ka Naka. The Corporation will ensure that the meat is not sold or slaughtering is not done at open places and no new slaughter house shall be established for slaughtering or for selling meat except those, which have been notified under Section 257 as on this date. This order is not for promotion of slaughtering the animals or selling of meat but it is for regulation.

On the basis of the aforesaid assurance, the proceedings are drop and rule nisi is discharged.

Accordingly, this contempt petition is disposed of.

*A. K. Kohli*  
Judge

*S. Singh*  
Judge

Handwritten notes and signatures in the lower section of the order sheet.

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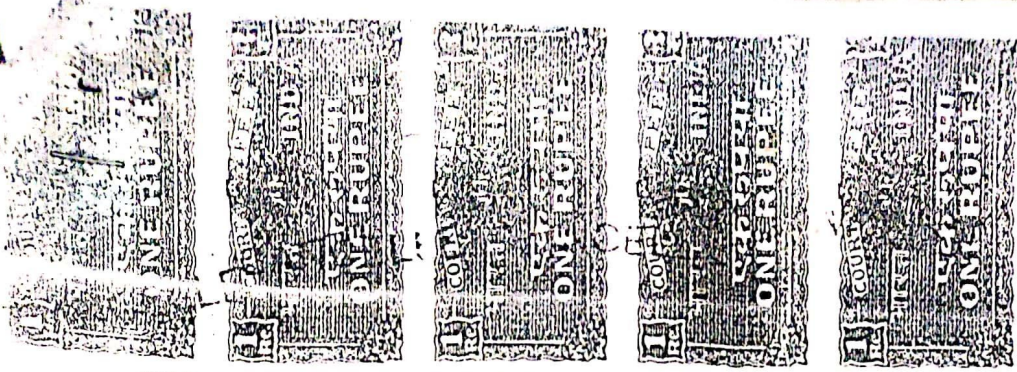
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25.5.08

Officer  
Madhya Pradesh High Court  
Gwalior

Confidential - 273 of the Evidence Act





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IN THE HON'BLE HIGH COURT OF JUDICATURE  
M.P. JABALPUR BENCH AT GWALIOR

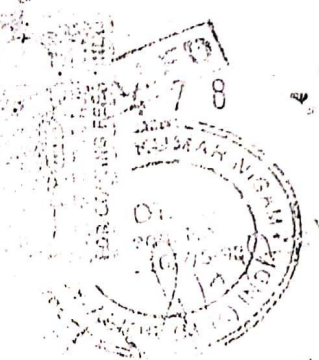
Contempt Petition No. 148 /2008

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Singh , Aged 30 years, Occupation-  
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Dept. of Urban Administration and  
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BY

(2)

Contempt Petition under Article 215 of Constitution of India read with Section 10 and 12 of the Contempt of Courts Act for non-compliance of the order of this Hon'ble Court passed on 6.8.2007 by D.B. in W.P. (PIL) No. 302/2000.

May it please this Hon'ble Court,

The humble petitioner submits this Contempt Petition as under:-

1. That, the petitioner filed a petition W.P. (PIL) No. 302/2000 which was finally decided by Hon'ble D.B. comprising of Justice Shri Subhash Samvatsar and Justice Shri Sanjay Yadav on 6.8.2007. The certified copy of the order is filed herewith as Annexure A-1.
2. That, the PIL was filed against illegal business of slaughter of animals and sale of meat at Chawri Bazar, Gwalior against the provisions of M.P. Municipal Corporation Act 1956.
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ANNEXURE- C

HIGH COURT OF MADHYA PRADESH

CASE NO. Cont.Pet. No.148/08 OF 200

ORDER SHEET (Continuation)

Date & S. No. of the order	Order
	<p>(DB: HON.SHRI ABHAY GOHIL &amp; HON. SHRI SANJAY YADAV, JJ)</p> <p><u>26/06/2008</u></p> <p>Shri S.B.Gupta, Advocate with Shri S.K.Gupta, Advocate for the Petitioner.</p> <p>Shri Vivek Khedkar, Govt. Advocate for respondents No.2 &amp; 4/State.</p> <p>Shri P.N.Kelkar, Advocate with Shri P.D.Bidua, Advocate for respondent No.3.</p> <p>Respondent No.3-Dr. Pawan Sharma, Commissioner Municipal Corporation is present in person.</p> <p>None for other respondents.</p> <p>Today, respondent No.3-Dr. Pawan Sharma, Commissioner, Municipal Corporation has filed reply in the contempt petition. In reply he has submitted that the order passed by this Court on 6.8.2007 was subsequently modified on the basis of the application filed by some of the shopkeepers and by subsequent order dated 15.5.2008 the Court permitted the shopkeepers to carry on their business at the present place. From this order, it is clear that only four petitioners were permitted to run the shop in Chhawdi Bazar Area and the others were not permitted and on the strength of the aforesaid order, it is admitted that the Corporation has permitted all the persons to indulge in the business of selling meat and slaughtering of animals in the Chhawdi Bazar Area. At this stage, it is submitted by learned counsel for respondents that they have already filed a challenge in the court of Civil Judge, Magistrate.</p>

FILED

FOR COPY

THE COPY OF THE ORDER



ANNEXURE- C

HIGH COURT OF MADHYA PRADESH

CASE NO. Cont. Pet. No. 148/08 OF 200

ORDER SHEET (Continuation)

Date & S. No.  
of the order

2 Order

Gwalior against the shopkeepers of Chhawdi Bazar as well as other shopkeepers for selling the meat in Gwalior city. The Commissioner has submitted that so far as permission for Awadpura is concerned, there was agitation by the residents of Awadpura area, therefore, a request was made to the Collector to allot some land for slaughter house and meat market in the area of Gudi Guda Ka Naka and Collector has allotted the land for that purpose. It is assured by the respondents that they will see that except at Gudi Guda Ka Naka, no permission shall be granted by the Corporation for any other place and no licence shall be granted. It is submitted that the Corporation will not open a slaughter house only at Gudi Guda Ka Naka and that too after obtaining permission from the Corporation and also after making compliance of the provisions of Section 257 of the M.P. Municipal Corporation Act, they will issue licenses, otherwise not.

Respondent No.3 has also submitted an unconditional apology and admitted that there is no strict compliance of the order but in future they will make strict compliance of the order. Considering the submissions and reply submitted on behalf of the contemner No.3, it appears that they could not take effective action on the order dated 6.3.2007 as subsequently this Court vide order dated 15.5.2008 granted permission to four applicants to continue their business at the present place i.e. at Chhawdi Bazar but today the Corporation has assured this Court that



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ANNEXURE- C

HIGH COURT OF MADHYA PRADESH

CASE NO. Cont.Pet. No.148/08 OF 200

ORDER SHEET (Continuation)

Date & S. No. of the order

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On the basis of the aforesaid assurance, the proceedings are drop and rule nisi is discharged.

Accordingly, this contempt petition is disposed of.

*Dr. P. K. Sahil*  
Judge

*Dr. S. J. Yadav*  
Judge

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*Sahil*

*2008*

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575/08

Officer  
Madhya Pradesh High Court  
Court House Gwalior  
Under Section 257 of the Evidence Act