

Express Delivery

IN THE HIGH COURT OF MADHYA PRADESH
BENCH AT GWALIOR

W.P. NO. 6/01 12015 (P.I.L.)

- PETITIONERS :
1. Rajendra Kumar Gangwal,
Aged 72 years, S/o Late Shri Prakash Chandra Gangwal, Occupation: Advocate, R/o 35 Gandhi Colony, Shivpuri, District Shivpuri (M.P.)
 2. Vaibhav Jain, S/o Shri Dharamchand Jain, Aged 25 years, Occupation: Advocate, R/o Gwalior (M.P.)

Versus

- RESPONDENTS :
1. State of Madhya Pradesh through the Principal Secretary, Urban Administration and Development, Govt. of M.P., Vallabh Bhawan, Bhopal (M.P.)
 2. The Collector, District Gwalior (M.P.)
 3. The Collector, District Shivpuri (M.P.)
 4. Municipal Corporation, Gwalior through the Commissioner, City Centre, Gwalior (M.P.)

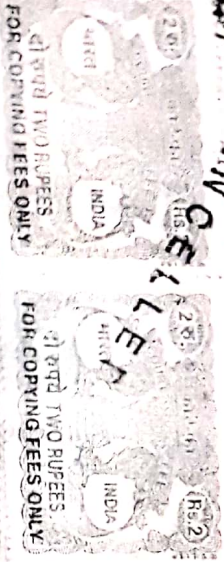
Presented on 09/09/15
By D.S. Kishore Lal

Presentation Assistant

Impounded by Mr. Nigble
Court Order dt. 16.9.15

D.S. Rajendra Kumar Jain
16.9.15
S. Dr. Jitendra K. Jain S/o Smt. Mahendra Jain Age 34 yrs
oc: Advocate R/o 84 High Court, Lucknow, Gwalior

Attested
(Registrar)



2

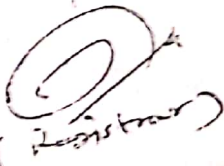
5. Municipal Council Shivpuri through its Chief Municipal Officer, Shivpuri (M.P.)

S. Kabir Quraishi s/o Shri Shivraj Quraishi
advocate, one student, resident of Shivpuri
Mandya, behind hotel, old market, Gwalior
Road, Gwalior (M.P.)

Amend not received
and in compliance of
h.c.o. dt. 12/9/15

C.P.
Amad v. Shivraj
Adv.
12/9/15

Attys to


(Registrar)

REGULAR PUBLIC INTEREST LITIGATION UNDER
ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR
ISSUANCE OF THE WRIT OF MANDAMUS, CERTIORARI
OR ANY WRIT ORDER OR DIRECTION IN THE NATURE
OF THE WRIT.

MAY IT PLEASE THIS HON'BLE COURT.

The Humble petitioners submit this petition as under:

(1) PARTICULARS OF THE CAUSE/ORDER AGAINST
WHICH THE PETITION IS MADE :

(1) Date of Order / Notification / Circular / Policy /
Decision etc :

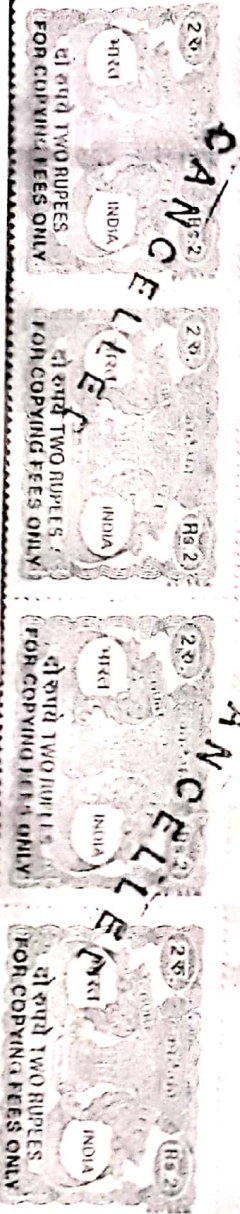
(2) Passed in (Case or File Number) :

(3) Passed by (Name and designation of the Court,
Authority, Tribunal etc.) :



(4) Subject-matter in brief :

This writ petition is being most respectfully submitted in the nature of pro bono publico by the petitioners for direction against the respondents to close down the slaughter houses/shops during Digambar Jain Samaj Paryushan Parv between 18.9.2015 to 27.9.2015. The Hon'ble Apex Court in an identical situation in the case of **Hinsa Virodhak Sangh Vs. Mirzapur Moti Kuresh Jamat and others, AIR 2008 SC 1892** has held that during Paryushan Parv to pay respect to the Jain Society members, the members of the other Societies who have a religious festival called as Paryushan Parv during which they do penance should pay respect to them. Such type of restriction under Article 19 (1) (g) of the Constitution of India has been held to be permissible in law. Various Governments i.e. Government of Chhattisgarh, Govt. of Rajasthan and other Governments also have put restrictions over the working of slaughter houses/shops during Digambar Jain Samaj



ANNEXURE-C

HIGH COURT OF MADHYA PRADESH

CASE No. OF 20

ORDER SHEET (Continuation)

Date & S. No. of the order	Order
----------------------------	-------

1 **WP.6101/2015**
Rajendra Kumar Gangwal Vs. State of M.P. & Ors.

19.11.2015

Shri M.P.S. Raghuvanshi, Advocate for the petitioner.

Shri Anvesh Jain, Advocate for the petitioner No.3.

Shri Arvind Dudawat, Additional Advocate General for the respondents / State.

Shri Deepak Khot, Advocate for the respondent No.4.

Shri J.D. Suryawanshi, Advocate for the respondent No.5.

Shri M.M. Quresh, Advocate for the respondent No.6.

The present writ petition is filed by way of P.I.L. for issuance of an appropriate writ order or direction directing the State of M.P. to impose complete ban on slaughter houses / shops selling meat during the Paryushan Parv between 18.09.2015 to 27.09.2015.

Respondent / State has filed a compliance report along with the order dated 23.09.2015. The same reflects that State Government has directed the local

CANCELLED
FOR OPENING BILLS ONLY

CANCELLED
FOR OPENING BILLS ONLY

CANCELLED
FOR OPENING BILLS ONLY

CANCELLED
FOR OPENING BILLS ONLY

ANNEXURE-C
HIGH COURT OF MADHYA PRADESH

CASE No. OF 20

ORDER SHEET (Continuation)

& S. No.
of order

Order

2

WP.6101/2015

Rajendra Kumar Gangwal Vs. State of M.P. & Ors.

authorities to pass orders for imposing ban in respect of selling of meat / in respect of slaughter house.

Municipal Corporation Gwalior has also filed the compliance report which reflects that ban was imposed by the order dated 21.09.2015 for a period between 18.09.2015 to 27.09.2015.

Respondent No.5 / Municipal Corporation Shivpur has also issued similar kind of order.

In the light of orders passed by the State, without commenting upon the merits of the case and as a ban has already been imposed, the present petition deserves to be dismissed as it has rendered infructuous specially in-light of the fact that Paryushan Parv is already over

(S.C. Sharma)
Judge

(D.K. Paliwal)
Judge

CERTIFIED TO BE A TRUE COPY

Section Officer
Madhya Pradesh High Court
Civil Block, Gwalior

27-11-15

Section Officer

AHC