

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR  
WP No. 19102 of 2019  
(VISHVAJEET RATONIYA Vs THE STATE OF MADHYA PRADESH AND OTHERS )

**Dated : 26-11-2024**

*Shri Yash Sharma - Advocate for the petitioner.*

*Shri Vivek Khedkar - Additional Advocate General for the respondents No.2 and 3/State.*

*Shri Deepak Khot - Advocate for respondent No.1 and 4/Municipal Corporation, Gwalior and Gwalior Smart City Development Corporation Limited.*

*Shri Praveen Newaskar - Deputy Solicitor General for respondent No.6/Central Water Commission.*

*Shri K.N. Gupta - Amicus Curiae with Ms. Suhani Dharwad - Advocate.*

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Learned amicus curiae refers order dated 20.11.2024 and submits that respondents No.1 and 4/ Municipal Corporation, Gwalior had to submit the detail project report regarding Swarn Rekha River and laying of sewer lines. That DPR is yet to be filed.

Learned counsel for the respondent/Corporation Shri Deepak Khot informs this Court that DPR has been prepared by the consultant appointed by Municipal Corporation, however, to get it vetted, the report has been sent to Moulana Azad National Institute of Technology (MANIT), Bhopal. Soon it will be received, however, fairly submits that no time limit has been prescribed.

Counsel for the parties raised the apprehension regarding time limit. Learned amicus curiae Shri Gupta submits that once DPR is vetted by the MANIT then it can be taken care of by scrutinizing it, before this Court.

Learned counsel for the respondent/Corporation is directed to facilitate early requisition of vetting report from MANIT, preferably within one month so that same can be placed before this Court for scrutiny.

As per the provisions of Municipal Corporation Act, concept of social audit is discussed in Section 2(54), Section 130-B and Section 131-A of Municipal Corporation Act, 1956, however, it is to be invoked in a guarded and cautious manner but may be helpful to tailor made the schemes for the requirement of a city or a locality.

Counsel for the respondent/Corporation is directed to do the needful by looking correspondence in this regard, MANIT is excepted to respond to it affirmatively while submitting report before preferably within one month.

It appears that synergy between State Government and Municipal Corporation in the present matter is need of the hour. So is with the counsel appearing for the parties. They are required to exchange the documents much prior to the hearing so that both counsel may seek instructions prior to listing of the case.

Questions raised by the intervenor shall be addressed on the next date of hearing.

List this case in the **week commencing 02.01.2025.**

(ANAND PATHAK)  
JUDGE

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(ROOPESH CHANDRA VARSHNEY)  
JUDGE

Monika