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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1346/2015 & CM No.35024/2016

COURT ON ITS OWN MOTION

(AIR POLLUTION IN DELHI)

... Petitioner

Through: Mr Kailash Vasdev, Sr Advocate with  
Mr Sumer Singh Sandhu, Mr Umrao Singh Rawat and  
Ms Divija Rajkhowa, *Amicus Curiae*.

versus

UNION OF INDIA & ORS

... Respondents

Through: Mr Ajay Digpaul, CGSC with Ms Mohita &  
Ms Madhuri Dhingra, for the Respondent/UoI.  
Mr Rahul Mehra, Senior Standing Counsel (Civil) with  
Mr Tushar Sannu for the Respondent/GNCTD.  
Mr Anil Grover, Standing Counsel with Ms Kanika Singh,  
Mr Rishi Vohra for the NDMC.  
Mr Puneet Taneja and Ms Shaheen, Advocates with Mr Alok  
Raizada (AGM, Ash Manager & Environment) &  
Mr Prashant Kumar Sanal, Sr Manager for  
the Respondent No.28/NTPC.  
Mr Sanjeev Ralli with Mr Trinyan Sonowal and Mr Ravin  
Kapur for the Respondent/DPCC.  
Mr Simaranjeet Singh, Advocate for the  
Respondent No.19/NHAI.  
Mr Naginder Benipal, Standing Counsel for the Respondent /  
PPCB alongwith Mr Babu Ram [Member Secretary,  
PPCB-in-person].  
Mr Sanjay Lao (ASC) with Mr Siddharth Sandhu  
for the Respondent.  
Mr Ajay Digpaul, CGSC with Ms Mohita & Ms Madhuri  
Dhingra for the Respondent/UoI  
Ms Manisha Agrawal Narain and Mr S.K. Sharma  
for the Respondent/CPCB.  
Mr Anil Mittal with Ms Komal Aggarwal  
for the Respondent/State of UP.  
Mr Biji Rajesh with Mr Gaurang Kanth, Mr Yashwardhan  
P. Singh for the Respondent/EDMC.  
Mr R.S. Suri, Senior Advocate with Mr Naginder Benipal  
for PPCB.  
Mr Pawan Mathur, Advocate with Mr R.R. Sharan,

Dy Director (Survey).

AND

+ W.P.(C) 2115/2015 & CM No.7298/2015

SUDHIR MISHRA

... Petitioner

Through: Mr Kailash Vasdev, Sr Advocate with  
Mr Sumer Singh Sandhu, Mr Umrao Singh Rawat and  
Ms Divija Rajkhowa, *Amicus Curiae*.

versus

MINISTRY OF HEALTH & FAMILY WELFARE & ORS....Respondents

Through: Ms Manisha Agrawal Narain and Mr S.K. Sharma  
for the Respondent/CPCB.

Mr Vivek Goyal, CGSC with Ms Namisha Gupta for  
the Respondent/UoI.

Mr Dhanesh Relan for the Respondent/DDA.

**CORAM:**

**HON'BLE MR JUSTICE BADAR DURREZ AHMED**

**HON'BLE MR JUSTICE JAYANT NATH**

**ORDER**

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**25.11.2016**

The learned counsel for the Municipal Corporations shall file their affidavits in the course of the day. The advance copies of the affidavits have been handed over to the learned *amicus curiae*. We have briefly gone through the affidavits filed on behalf of the North Delhi Municipal Corporation and the South Delhi Municipal Corporation and we are not satisfied with the contents. This is particularly in the backdrop of the Environment Protection Act, 1986 and the Solid Waste Management Rules 2016.

Consequently, we direct the Commissioners of the three Municipal Corporations of Delhi to be personally present on the next date of hearing to explain their positions, particularly with regard to the landfill sites and waste management.

On the next date of hearing, the Member Secretary of the DPCC shall also be present in Court to explain as to whether there have been any prosecutions under Section 17 of the Environment Protection Act, 1986, particularly with regard to pollution in the National Capital Territory of Delhi.

Renotify on 01.12.2016 at 2.15 p.m. The State of UP shall file a better affidavit before the next date of hearing, particularly in respect of the areas falling within the NCR.

Dasti under the signatures of the Court Master.

**BADAR DURREZ AHMED, J**

**JAYANT NATH, J**

**NOVEMBER 25, 2016**

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