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

+ W.P.(C) 1346/2015

COURT ON ITS OWN MOTION
(AIR POLLUTION IN DELHI)

... Petitioner

Through: Mr Kailash Vasdev, Sr. Adv. (Amicus Curiae)
along with Mr Sumer Singh Sandhu, Ms Limayinla Jamir
and Mr Umrao Singh Rawat, Advs.

versus

UNION OF INDIA & ORS

... Respondents

Through: Mr Anil Mittal and Ms Komal Aggarwal, Advs. for
State of U.P.

Mr K M M Khan, Adv. for applicant Sanjay Colony Bhati
Mines.

Mr Puneet Taneja and Ms Shaheen, Advs. for NTPC.

Mr Amit Gupta, Adv. for National Capital Region Planning
Board.

Mr Peeyoosh Kalra, ASC with Mr Shiva Sharma
for the Respondent/GNCTD-PWD.
for GNCTD.

Mr Sanjay Poddar, Sr. Adv. with Mr Govind Kumr, Adv. for
the Respondent/SDMC.

Mr R.S. Suri, Sr. Adv. along with Ms Pallavi and Mr Naginder
Benipal, Advs. for State of Punjab.

Mr Rahul Mehra, Sr. Standing Counsel for the State.

Ms Manish Agrawal Narain with Ms S.K. Sharma, Adv.
for CPCB.

Mr Pushkar Sood, Adv. with Ms Akshita Chhatwal, Adv.
for DMRC.

Mr Pawan Mathur, Standing Counsel for DDA along with
Mr R.R. Sharma, Director Survey Planning.

Mr Vivek Goyal, CGSC with Ms Namisha Gupta, Adv.
for UOI.

Ms Surbhi Gupta, Adv for Mr Ajjay Aroraa for the
Respondent/NDMC and SDMC.

Mr Sanjay Lao, Adv. for Delhi Traffic Police.

Mr Sanjeev Ralli, Adv. with Mr Ravin Kapur, Ms Trinayan
Sonowal, Advs. for DPCC.

Mr Anil Grover, Standing counsel with Ms Kanika Singh,
ASC with Mr Rishi Vohra, Adv. for NDMC.

Ms Latika Chaudhary for Ms Avnish Ahlawat, Adv. for DTC.



Ms Bhavana Dahoon, Adv. for R19.
Mr Anchit Sharma, Adv. with Tarveen Singh Nanda, Adv.
for DCB.
Mr Gaurang Kanth, Adv. with Mr Mohanjit Singh,
Adv. for EDMC.
Sh. Ashok Kr. Tyagi, ACP/East, Sh. Madan Gopal, ACP/HQ,
Insp. Dinesh Kumar, TI/Vivek Vihar & SI Ram Tirath, Pairvi
Officer, Traffic.
Mr Asheesh Jain for the Respondent/State of Punjab.
Ms Bhavna Duhoon for the Respondent/NHAI.
Mr Anil Grover, AAG Haryana alongwith Mr Mishal Vij &
Ms Noopur Singhal for the Respondent/State of Haryana.
Mr Kamlesh Kumar Mishra for the Intervenor/NHF.
Mr Amit Gupta for the Respondent/National Capital Region
Planning Board.

+ W.P.(C) 2115/2015

SUDHIR MISHRA ... Petitioner
Through: Ms Ritwika Nanda with Mr Ashutosh
Gambhir, Advs.

versus

MINISTRY OF HEALTH & FAMILY WELFARE & ORS. ... Respondents
Through: Mr Dhanesh Relan with Ms Isha Garg
for the Respondent/DDA.
Mr Vivek Goel, CGSC with Mr Vinay Khanna
for the Respondent/UoI.

CORAM:
HON'BLE MR JUSTICE BADAR DURREZ AHMED
HON'BLE MR JUSTICE ASHUTOSH KUMAR

ORDER
% **02.02.2017**

Mr Vasdev, the learned Amicus Curiae, has shown us the photographs taken
by him yesterday in the Anand Vihar Area. The photographs are taken on record.
The photographs reveal a very depressing state of affairs in the Anand Vihar area,
particularly alongside the roads. There is unfinished construction, debris, plastic



waste mixed up with the earth and soil, dust lying along the roads and on the roads. The public roads also appear to have been encroached by taxi owners, buses, vendors and food stalls. Because of a combination all these, as we have pointed out in our earlier orders, the pollution levels, both with regard to PM 10 and PM 2.5, are extremely high in the Anand Vihar Area. We had indicated certain measures to be taken by the various agencies in order to bring down the air pollution levels. But, the photographs reveal an entirely different story and indicate that nothing at all has been done at the ground level.

Before we initiate contempt proceedings, we are giving the concerned officers an opportunity to show cause as to why we should not so proceed against them. For this reason, we direct that the Commissioner (East Delhi Municipal Corporation), the Chief Engineer (East Zone), PWD, the concerned Project In-Charge of DMRC at Anand Vihar, the Additional CP (Traffic) of East District, The Divisional Manager, Delhi Division, Northern Railways Headquarters, New Delhi and the General Manager ISBT, Anand Vihar, Government of NCT of Delhi be present on the next date of hearing with proper explanations as to why action, as directed and as required under the law, has not been taken.

Renotify on 16.02.2017 at 2.15 p.m.

Mr Vasdev shall supply copies of the photographs to the concerned counsel on request.

CM Nos.4383/2017 & 4384/2017

Issue notice to the non-applicants. The applicants shall file a list of persons,



who are members of the applicant association and who are hawking in the Anand Vihar Area. The learned counsel for the East Delhi Municipal Corporation shall also provide a list of Teh Bazari vendors / hawkers in the Anand Vihar Area.

Renotify on 16.02.2017.

CM No.640/2017

The learned counsel for the DDA shall file the report as directed on 12.01.2017.

Renotify on 16.02.2017.

A copy of this order be given dasti under the signatures of the Court Master.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

FEBRUARY 02, 2017

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