



\$~24 to 26

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

+ **W.P.(C) 1346/2015, C.M. APPL.35024/2016, 640/2017, 4383/2017, 4384/2017, 8565/2017, 18856/2017, 26231/2017, 26232/2017, 26233/2017, 36912/2017 & 40871/2017**

COURT ON ITS OWN MOTION (AIR POLLUTION IN DELHI)

..... Petitioner

versus

UNION OF INDIA & ORS.

..... Respondent

+ **W.P.(C) 2115/2015, C.M. APPL.7298/2015 & 10198/2017**

SUDHIR MISHRA

..... Petitioner

versus

MINISTRY OF HEALTH & FAMILY WELFARE & ORS.

..... Respondents

+ **W.P.(C) 6622/2018, C.M. APPL.25337/2018-25339/2018**

MIHIR GARG & ANR

..... Petitioners

versus

GOVT OF STATE OF NCT & ANR

..... Respondents

Through : Sh. Anil Grover, AAG with Ms. Nupur Singhal and Sh. Shivam Kumar, Advocates, for Item No.24.

Sh. Pushkar Sood and Ms. Sohini Mukherjee, Advocates, for DMRC, in Item No.24.

Sh. Kailash Vasdev, Sr. Advocate/*amicus curiae* with Sh. Sumer Sandhu, Ms. Mohita, Ms. Nayantara Gupta and Sh. Umrao Singh Rawat, Advocates, in Item Nos. 24 to 26.

Sh. Ajay Digpaul, CGSC with Ms. Sangeeta Sharma and Ms. Madhuri Dhingra, Advocates, for UOI, in Item No.24.

Sh. Anil Mittal and Ms. Komal Aggarwal, Advocates, for State of UP, in Item No.24.

Ms. Sandhya Raghav, Advocate, for MoEF&CC, in Item No.24.

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Sh. Pawan Mathur, Advocate, for DDA, in Item No.24.

Ms. Shaheen and Ms. Laxmi Kumar, Advocates, for NTPC, in Item No.24.

Ms. Palak Rohmetra and Ms. Aarushi, Advocates, for respondent, in Item No.24.

Sh. Dhanesh Relan, Advocate, for DDA, in Item No.25.

Ms. Puja Kalra, Standing Counsel, for North MCD/SDMC, in Item No.24.

Ms. Ishita Baruah, for Sh. Gaurang Kanth, Advocate, in Item No.24.

Sh. Mukesh Kumar, Advocate, for NHAI, in Item No.24.

Sh. Shiv Mangal Sharma, AG with Sh. Saurabh Rajpal and Sh. Vikramjeet Singh, Advocates, for State of Rajasthan, in Item No.24.

Sh. Anil Grover, Standing Counsel with Sh. Jitendra Kumar Tripathi, ASC, Ms. Noopur Singhal, and Sh. Shivam Kumar, Advocates, for NDMC, in Item No.24.

Sh. Anchit Sharma and Sh. Rahul Singhal, Advocates, for DCB, in Item No.24.

Sh. Om Prakash, Advocate, for Railways, in Item No.24.

Sh. Naushal Ahmed Khan, ASC (Civil)/GNCTD, in Item Nos. 24 to 26.

Sh. Sakya Singhal Chaudhuri, AAG, and Ms. Shreya Mukerjee, Advocate, for State of Punjab, in Item No.24.

Sh. Vivek Goyal, CGSC, for UOI, in Item Nos. 24 and 25.

Sh. Balendu Shekhar and Sh. Sriansh Prakash, Advocates, with Sh. Dinesh Jindal, LO, for DPCC, in Item No.26.

Ms. Mihir Garg and Ms. Rashmi Jain, Advocates with Petitioners in person, in Item No.26.

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Insp. Ashok Kumar, TI/Vivek Vihar Circle and
ASI Virender Singh.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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16.10.2018

Further hearing continued.

During the course of hearing, learned *amicus curiae* drew the notice of the Court to the orders of this Court on 03.10.2015 and the order of the Supreme Court on 09.10.2017 with respect to use of firecrackers. Sh. Krityanand Kumar Rai too moved the Court in public interest in this regard. The Court was informed that apart from use of firecrackers in weddings and other festive occasions as well as in Dussehra, and unregulated use of firecrackers and burning of effigy which number approximately 10,000 in Delhi during Dussehra, leads to substantial pollution and fire hazards. Since the current Dussehra is at an advanced stage, this Court is of the opinion that no regulation at this eleventh hour is possible. However, the respondents – Govt. of NCT of Delhi shall hold consultations for appropriate regulations of air policy capable of implementation, to be well in place before the next Dussehra. The steps taken in this regard shall be indicated in the form of an affidavit to be filed by the Central Government and the State Government. List on 22.11.2018.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

OCTOBER 16, 2018/ajk

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