

ITEM NO.21

COURT NO.9

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(S). 6174/2023

BHOPAL MUNICIPAL CORPORATION

APPELLANT(S)

VERSUS

DR SUBHASH C. PANDEY & ORS.

RESPONDENT(S)

(IA No. 113056/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 141056/2024 - CONDONATION OF DELAY IN FILING
IA No. 43110/2024 - CONDONATION OF DELAY IN FILING
IA No. 198051/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 141055/2024 - EXEMPTION FROM FILING O.T.
IA No. 245823/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 198050/2023 - STAY APPLICATION)

WITH

C.A. No. 7728/2023 (XVII)
(IA No. 196024/2024 - EXEMPTION FROM FILING O.T.
IA No. 176665/2024 - EXEMPTION FROM FILING O.T.
IA No. 241136/2023 - STAY APPLICATION)

Date : 11-02-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s) Ms. Vanshaja Shukla, AOR
Ms. Gunjan Chowksey, Adv.
Ms. Ankeeta Appanna, Adv.
Mr. Siddhant Yadav, Adv.

For Respondent(s) Mr. Arpit Gupta, AOR
Ms. Akansha Agarwal, Adv.
Divya Pratap Parmar, Adv.
Mr. Aadil Yar Chaudhary, Adv.

Mr. Harshvardhan Pandey, Adv.
Mr. Raghavendra Pratap Singh, AOR
Mr. Akshat Kashyap, Adv.
Mr. Ram Kumar, Adv.
Mr. Mahendra Pratap Singh, Adv.

Mr. Abhimanyu Singh, Adv.
Mr. Abhinav Srivastav, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

Mr. Raghav Sharma, Adv.
Mr. Salvador Santosh Rebello, AOR
Mr. Jaskirat Pal Singh, Adv.
Mr. Pranjal Pandey, Adv.
Ms. Ngacheitharin Chiphang, Adv.

Mr. Saurabh Balwani, AOR
Mr. Chirag Pathor, Adv.

Mr. Vikramaditya Singh, AOR
Mr. Qasim Ali, Adv.
Mr. Arjun Singh, Adv.
Ms. Yashika Gupta, Adv.

Ms. Pragati Neekhara, AOR
Mr. Peeyush Katara, Adv.

Officers appeared online Mr. Sourabh Sood
 Mr. Rajendra Kumar Trivedi

UPON hearing the counsel the court made the following
O R D E R

1. These are two Civil Appeals arising from two different orders of the National Green Tribunal, Central Zonal Bench, Bhopal (for short 'the NGT').
2. The first one - Civil Appeal No.6174 of 2023 arises out of the impugned order dated 31.07.2023. The other is Civil Appeal No.7728 of 2023 arising from the Order dated 11.08.2023.

3. Under these two orders, the appellant-Bhopal Municipal Corporation has been directed to pay environmental compensation of Rs.1.80 crores and Rs.121 crores respectively.

4. It is noticed that Municipal Solid Waste Management and Handling Rules, 2000 were replaced by the Solid Waste Management Rules, 2016 and now even these rules have been replaced by Solid Waste Management Rules, 2026 (for short 'the 2026 Rules') which would be effective from 01.04.2026. The Court is of the view that the statutory mechanism is not yielding desired result because of several factors at the field level. Introduction of new rules, though a welcoming step, the authorities are expected to complete the spade work before the effective date sets in, otherwise Rules, 2026 will not be improving the ground reality.

5. Therefore, in the facts and circumstances of the case, it would be necessary to ensure that infrastructure for the waste management is provided in accordance with the 2026 Rules.

6. Having heard learned counsel for the parties at some length, we propose to direct that the appellant may implead - (i) Secretary, Ministry of Environment, Forest and Climate Change of India; (ii) Secretary, Ministry of Housing and Urban Affairs; (iii) Secretary, Ministry of Panchayati Raj; (iv) Chief Secretary, State

of Madhya Pradesh; (v) Additional Chief Secretary, Urban Development and Housing Department, Madhya Pradesh; and (iv) Principal Secretary, Housing and Environment Department, Madhya Pradesh, as party respondents in both the appeals.

7. The appellant is directed to carry out the amendment and to supply the amended cause title on or before the next day of hearing.

8. The Registry is directed to serve the newly added respondents through e-mail. Learned counsel for the appellant is permitted to serve the copy of these appeals upon the Central Agency Section for the Union of India.

9. Mr. Pashupati Nath Razdan, learned AOR appears for the State of Madhya Pradesh and accepts notice.

10. Put up on 19.02.2026.

(Nikita Singh)
Court Master (NSH)

(Geeta Ahuja)
Assistant Registrar-cum-PS