

Daily Orders for Case WP 34181/2025

Sl. No	Judge(s) Name	Date of Order	Daily Order
1	CHIEF JUSTICE AND C.M. POONACHA	14/11/2025	, 1. Issue notice. 2. Learned AGA accepts notice for respondent No.1. 3. Sri A. Mahesh Chowdhary, learned counsel accepts notice for respondent No.2. 4. Learned AGA seeks time to file statement of objections. 5. Let the statement of objections be filed within a period of two weeks from date. 6. Learned counsel for the petitioner refers to the decision of the Supreme Court in the case of Delhi Pollution Control Committee V. Lodhi Property Co.Ltd., [2025 SCC OnLine SC 1601] and drawn attention of this Court to para No.39, which reads as under: "39. For the reasons stated above: (a) We allow these appeals and set aside the judgment and order dated 23.01.2012, passed by the Division Bench of the High Court of Delhi to the extent of declaration of law but direct that the show cause notices that have been set aside by the High Court shall not be revived. (b) We direct that the Pollution Control Boards can impose and collect as restitutionary and compensatory damages fixed sums of monies or require furnishing bank guarantees as an ex-ante measure towards potential environmental damage in exercise of powers under Sections 33A and 31A of the Water and Air Acts. (c) It is further directed that the power to impose or collect restitutionary or compensatory damages or the requirement to furnish bank guarantees as an ex-ante measure under Sections 33A and 31A of the Water and Air Acts shall be enforced only after detailing the principle and procedure incorporating basic principles of natural justice in the subordinate legislation." 7. There is no subordinate legislation framed as yet. 8. In the aforesaid background, the petitioner's contention that no compensation can be levied or collected at this stage, warrants consideration. 9. In view of the above, we direct that no coercive steps be taken for recovery of the environmental compensation till the next date of hearing. 10. List on 05.02.2026.