

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

WP No. 954 of 2026

(PRIYANSHU JAIN Vs UNION OF INDIA AND OTHERS)

Dated : 30-01-2026

Shri Lavesh Saraswat, learned counsel for the petitioner.

Shri Sudeep Bhargava, learned Dy.A.G. for the respondent Nos. 2, 3, 4, 8 & 9 on advance notice.

Shri Vikas Jaiswal, learned counsel for the respondent No. 1 & 5.

This Public Interest Litigation has been filed raising serious concerns regarding proposed / ongoing felling of large number of trees, about 200 trees in Ranisarai Land (S.P. Office Premises, Indore) for the purpose of metro rail bridge.

It is submitted that the proposed action, if not immediately restrained, would result in irreversible environmental degradation, loss of green cover and ecological imbalance. It is contended that the action is being undertaken without the compliance of statutory requirement under the Forest Conservation Act, 1980, Environmental (Protection) Act, 1986 and without permissions under the Rules meant for permission for cutting the trees.

Counsel for the petitioner argued that the said trees are home of the thousands of Parrots or Parakeets who are protected under the Wild Life Protection Act. He has drawn our attention to the letter dated 09.01.2026 issued by the Garden Officer, Municipal Corporation, Indore stating that the Corporation had not received any application for permission for cut/transfer of the trees standing in Ranisarai Land (S.P. Office Premises Indore) under

Metro Rail Project.

He has further relied on a judgment dated 26.11.2025 passed by the Division Bench, Principal Seat, Jabalpur in the case of **Neeraj Garg Vs. Union of India & Others** in W.P. No. 17144/2024 & W.P. No. 42565/2025 , which was a *suo moto* petition relating to illegal felling of the trees in the State of M.P.. He has referred to para 18 of the order passed by the Division Bench which is reproduced as under :-

"18. In the meantime, we direct that no tree shall be cut, pruned or transplanted in any manner in the State of Madhya Pradesh except with the prior permission of the Committee constituted by the National Green Tribunal and the concerned Tree Officer till the next date of hearing.

Considering the aforesaid submissions and para 18 of the order passed by the Division Bench at Jabalpur and further that an issue of illegal felling of trees without valid permission by the competent authority amounts to violation of Article 48A & 51 of the Constitution of India and the matter involves substantial question relating to environmental protection which is an integral fasten of Article 21 of the Constitution of India, environmental preservation and maintenance of ecological balance, we issue notices to the respondents.

Counsel for the State accepts the notice on behalf of respondent No. 2, 3, 4, 8 & 9.

Since Shri Vikas Jaiswal, Advocate accepts the notice for the respondent Nos. 1 & 5, therefore, no PF is required for the said respondents.

Notices be issued to the remaining respondents No. 6 & 7 on payment

of process fee within seven working days, failing which, present petition shall stand dismissed without reference of this Court.

As an interim measure, it is directed that no tree shall be cut or transfer standing in Ranisarai Land, Regal Square, Indore till the next date of hearing.

List the matter on 16.02.2026.

(VIJAY KUMAR SHUKLA)
JUDGE

(ALOK AWASTHI)
JUDGE

Vindesh