

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 2802 of 2004**

(ALOK PRATAP SINGH (DECEASED) IN REM Vs THE UNION OF INDIA AND OTHERS)

Dated : 02-05-2024

*Shri K.N. Fakhruddin - Advocate and Shri Himanshu Mishra -
Advocate for petitioner.*

*Shri Pushpendra Yadav - Deputy Solicitor General and Shri Sandeep
Shukla - Advocate for respondent No.1/Union of India.*

Shri G.P. Singh - Government Advocate for State.

Shri Vikram Johri - Advocate for respondent M.P. Pollution Board.

*Shri Ravindra Shrivastava - Senior Advocate and Shri Kishore
Shrivastava - Senior Advocate with Ms. Shiraz Patodia, Shri Ashish Singh,
Ms. Divya Sharma, Ms. Juhi Chawla, Shri Kunal Thakre and Ms. Aditi
Shrivastava - Advocates for respondent No. 4.*

Shri Y.M. Tiwari - Advocate for respondent No.5.

*Shri Rajeev Mishra and Shri S.K. Verma - Advocates for respondent
No.7.*

*Shri Shreyas Dharmadhikari - Advocate for intervenor/ International
Campaign for Justice Sambhavana Trust, Bhopal.*

*Shri N.D. Jayprakash - Advocate for Intervenor/ Bhopal Gas Peedith
Sangharsh Sahyog Samiti.*

*Shri Avininder Singh, Ms. Racha Dheengra and Shri Teerthesh
Bharilya - Advocates for intervenor/B.G.I.A.*

Shri Abhay Kesharwani - Advocate for M.P. Pollution Control Board.

Learned counsel for the parties are heard.

Compliance report bearing No.4695/2024 has been filed by respondent

No.3, which is accompanied by two letters; first dated 04.03.2024 and the other dated 20.03.2024 along with which a tentative work plan has been submitted for incineration of toxic waste within a minimum 185 days and maximum of 377 days.

Counsel for State does not dispute that the amount of Rs.126,08,50,365/- has been received in the coffers of State Government credited by Central Government.

Since vide Annexure-D/2 the Contractor entrusted with the work of incineration has already submitted a work plan, it would be appropriate to entrust the responsibility of overseeing the execution of the said work plan to the Oversight Committee constituted by this Court by order dated 30.03.2005 and submit a report once every three weeks about progress of execution of work plan by the Contractor.

Let the case for ensuring progress of the work plan after perusing the report submitted by the Committee be taken up on **27.05.2024**.

I.A. No.14916/2023 raises the issue of contamination of ground water of the area where toxic waster is dumped. Learned counsel for intervener is required to demonstrate before this Court that no other PIL in this Court or in the Apex Court is pending on the said issue on the next date of hearing.

List on **27/05/2024**.

(SHEEL NAGU)
JUDGE

(DEVNARAYAN MISHRA)
JUDGE