

WP 2802/2004

14.9.2012

Shri Naman Nagrath, Advocate for the petitioner.

Shri Shekhar Sharma, Advocate for respondent No.1/Union of India.

Shri P.K.Kaurav, Deputy Advocate General for the respondent No.2/State.

Shri Ravindra Shrivastava Senior Counsel, Shri Kishore Shrivastava Senior Counsel with Ms.Shinaz Patodia, Ms.Anusuya Sadhu Sinha and Shri Kunal Thakre Advocates for respondent No.4.

Shri Manoj Sharma, Advocate and Shri Harmeet Singh Ruprah, Advocate for the intervenor.

It is submitted by Shri P.K.Kaurav that the Apex Court has fixed the case for hearing on 15.10.2012 and this matter may be heard thereafter.

Shri Naman Nagrath submits that in Writ Petition (Civil) No.50/1998, the Apex Court has issued directions in paragraph 12 of the order in respect of disposal of toxic material/waste, which reads as under:-

"(12) It is indisputable that huge toxic material/waste is still lying in and around the factory of Union Carbide Corp. (I) Ltd in Bhopal. Its very existence is hazardous to health. It needs to be disposed of at

the earliest and in a scientific manner. Thus, we direct the Union of India and the State of Madhya Pradesh to take immediate steps for disposal of this toxic waste lying in and around the Union Carbide factory, Bhopal, on the recommendations of the Empowered Monitoring Committee, Advisory Committee and the NIREH within six months from today. The disposal should be strictly in a scientific manner which may cause no further damage to human health and environment in Bhopal. We direct a collective meeting of these organizations to be held alongwith the Secretary to the Government of India and the Chief Secretary of the State of Madhya Pradesh within one month from today to finalize the entire scheme of disposal of the toxic wastes. The above direction is without prejudice to the appropriate orders or directions being issued by the court of competent jurisdiction."

Shri Naman Nagrath also submits that the directions have already been issued by the Apex Court so Union of India and State Government may be directed to comply with the aforesaid directions.

As the Apex Court has issued directions, it is not necessary for this Court to issue any further direction in the matter. Union of India and State Government are bound to comply with the aforesaid directions.

Be listed for hearing on 21.11.2012 awaiting orders from the Apex Court in Civil Appeal No.9874/2012.

Certified copy as per rules.

(Krishn Kumar Lahoti)
Judge

(Smt.Vimla Jain)
Judge

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