

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SItem No.63:

Civil Appeal No(s). 6174/2023

BHOPAL MUNICIPAL CORPORATION

Appellant(s)

VERSUS

DR SUBHASH C. PANDEY & ORS.

Respondent(s)

(IA No.198051/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.198050/2023-STAY APPLICATION)

With

Item No.71:

Civil Appeal No(s). 7728/2023

(IA No. 241136/2023 - STAY APPLICATION)

Date : 01-12-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s)

Mr. Nidhesh Gupta, Sr. Adv.
Mr. V K Shukla, Adv.
Mr. Sugam Mishra, Adv.
Mr. Abhaya Nath Das, Adv.
Mr. N D Kaushik, Adv.
Ms. Riya Soni, Adv.
Mrs. Barnali Basak, Adv.
Mr. Hemant Kumar Joshi, Adv.
Mr. Satish Kumar, AORMr. Balaji Srinivasan, AOR
Mr. Vivek Chaudhary, Adv.
Ms. Niti Richhariya, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RCivil Appeal No(s). 6174/2023We have carefully perused the affidavit filed in
terms of this Court's order dated 3rd October, 2023 by the

appellant-Bhopal Municipal Corporation.

After carefully perusing the affidavit, *prima facie*, we find that there is non-compliance with the provisions of the Solid Waste Management Rules, 2016.

The learned senior counsel appearing for the appellant seeks time to file a better affidavit giving better details and particulars.

We make it clear that after a better affidavit is filed by the appellant, we propose to engage appropriate expert agency to verify the correctness of the stand taken by the appellant regarding compliance with the Rules.

We grant time of two months to the appellant to file a better affidavit. No further time will be granted.

List on 23rd February, 2024.

In the meanwhile, it will be open for the appellant to file rejoinder affidavit.

Civil Appeal No(s). 7728/2023

De-tag and list separately on 19th January, 2024.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER