



2026 INSC 382

**REPORTABLE**

**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION**

**Writ Petition (Civil) No. 4677/1985**

M.C. Mehta

...Petitioner(s)

versus

Union of India and others

...Respondent(s)

**JUDGEMENT**

**SURYA KANT, CJI.**

1. This Writ Petition is the second-oldest case pending before this Court. The instant petition, filed in 1985, is among the three long-standing Writ Petitions instituted by Shri M.C. Mehta, seeking invocation of this Court's writ jurisdiction towards the protection and conservation of the environment and the country's natural resources. Similar to Writ Petition (Civil) No. 13381/1984, which we have disposed of through an even-dated judgement, this Writ Petition has also evolved in nature and grown in scope, necessitating a similar step to reshape the efforts of this Court.

**A. THE EVOLUTION OF THIS WRIT PETITION**

Signature Not Verified

Digitally signed by  
NITIN TALWAR  
Date: 2026.04.17  
14:23:06 IST  
Reason:

2. The original grievance prompting the filing of the Writ Petition was the proliferation of unauthorised industries, especially heavy and

noxious units, in the erstwhile Union Territory of Delhi. The thrust of the Petitioner's submissions lay in the substantial environmental degradation suffered by the ecology, as well as the negative impact on the metropolitan planning in the territory. As the case was taken up from time to time, this Court addressed different issues regarding the use and misuse of land and other natural resources in Delhi. At its core, this Court engaged with the legislative and policy framework surrounding the Master Plans for Delhi, their rampant violation by private entities, and the inaction of authorities like the Municipal Corporation of Delhi in addressing these illegalities.

### **A.1 Shifting of Hazardous Industries**

3. The first major step to prevent unauthorised use of land came in the form of two judgements, dated 15.05.1992 and 08.07.1996. Through the former, this Court barred the operation of any stone crusher in the erstwhile Union Territory of Delhi, keeping in view its polluting impact on the air, water, and land. A wider closure exercise, involving 168 industries identified to be 'highly polluting', was mandated through the latter decision, along with directions to the Delhi Pollution Control Committee to initiate action against 762 other units. It was noticed on both occasions that the establishment and operation of these units violated the land use norms in force at the time.

## **A.2 Action Against Misuse of Residential Property**

- 4.** Over subsequent years, while overseeing the implementation of the above directions, this Court also initiated action against industrial and commercial activities in residential premises. In doing so, a regulatory gap was noticed when it came to addressing the misuse of residential premises for commercial or industrial purposes. Hence, through a judgment dated 16.02.2006, the Municipal Corporation of Delhi was directed to ensure cessation of commercial activities in residential buildings and sealing of non-compliant properties. Subsequently, to ensure a thorough scrutiny of these violations, this responsibility was finally vested in a Monitoring Committee constituted through an order dated 24.03.2006.
- 5.** It is reported to us that as on 09.09.2025, the Monitoring Committee has disposed of 1399 out of 1443 complaints received by it, by either rejecting the complaint or ordering appropriate action.
- 6.** This Court, taking into account the volume of challenges raised against orders/reports of the Monitoring Committee, also set up an appellate mechanism in the form of a Judicial Committee comprising two former High Court Judges to hear the applications assailing the decisions of the Monitoring Committee. We are informed by the Judicial Committee that, as of 12.11.2025, out of approximately 1380 applications filed before it, 1300 have been heard and disposed of, while the remaining 80 are pending at different stages.

### **A.3 Expansion of the Scope of the Instant Writ Petition**

7. This Court has also, from time to time, exercised judicial oversight on the evolving policy regarding the regulation of land use in the NCT of Delhi. Its role in the instant Petition has grown from an enforcer of the law to a protector of the rights of common citizenship. This evolution has led this Court to address critical issues such as the reduction of green cover in Delhi, mining activities in the NCT, and groundwater depletion in the region. The changes in the regulatory regime, such as ordinances regularising misuse of residential premises and newer Master Plans for Delhi, have also prompted various parties to file applications challenging or defending these legislative and policy decisions.
8. The instant proceedings have, thus, taken the shape of a *continuing mandamus*, covering a substantially wider scope than envisaged in the original petition filed by Shri Mehta. As of today, 433 Interlocutory Applications, filed by different parties and seeking a variety of reliefs, are pending in this Writ Petition. Further, several issues concerning land use in Delhi have been identified and taken up *suo moto* by this Court.
9. It is clear that the role of this Court in the context of the instant Writ Petition has significantly expanded since 1985. However, the proceedings have continued under a singular case number, leading to all the spheres of consideration, having diverse backgrounds, legal

regimes, and interested stakeholders, taking the shape of Interlocutory Applications, rather than independent cases. Such a mechanism may have been suitable for the narrower scope of the original Writ Petition, but its present extent and coverage pose significant administrative difficulties in the management, listing, and consistent adjudication of such applications.

**10.** Additionally, although the petition was lodged in 1985, the issues grasping judicial attention today are of a markedly contemporary nature. Indian jurisprudence on matters of preservation of the ecology, environment, and natural resources in urban zones has also become refined, and the adjudication by this Court is now in a different context. For instance, while the original closure of hazardous industries in 1992 and 1996 was prompted by the urban authorities' inaction, now a sustained adjudicatory and appellate framework in the form of the Monitoring Committee and the Judicial Committee has been established. The newer initiatives of this Court are based on the context of sustained judicial directions and the consequential administrative action.

**11.** Considering the expanded scope of the issues before this Court and the distinct jurisprudential and administrative context, it is important that these proceedings also be given a different shape. The objective is to organise the various issues pending consideration and, thereafter, address these concerns in a detailed and focused fashion.

We have attempted to achieve the same objective through the even dated judgement passed in Writ Petition (Civil) No. 13381/1984. In our considered opinion, permitting the present system of ever-increasing IAs to continue would be against the interest of judicial efficiency.

12. With this in mind, the learned *Amici Curiae*, Mr. Guru Krishnakumar and Ms. Anita Shenoy, Senior Advocates, were requested on 23.02.2026 to categorise the pending IAs and identify if the same had been rendered infructuous.

**B. BRIEF NOTE BY THE AMICI**

13. The learned *Amici* have informed during the course of hearing that they have initiated this process, but due to the volume of filings, they are yet to complete the same. That being so, they have also supplied a brief note delineating the background of the petition, the status of some of the issues pending consideration, and the proposed categorisation of issues. At this stage, we consider it apposite to refer to some key aspects highlighted in the note.
14. *Firstly*, we observe that, to some extent, the issue of mining in the Aravalli Hills and Ranges was being taken up in these proceedings, and a few IAs pertaining thereto remain pending. The *Amici* have acknowledged that this Court is already comprehensively taking up the issues regarding mining and other environmentally sensitive activities in the Aravalli region in Suo Moto Writ Petition (Civil) No.

10/2025.<sup>1</sup> In our view, it would be appropriate that such IAs are disposed of with liberty to the parties and counsel to assist this Court in that *suo moto* case so as to come to a conclusive finding in that case.

**15.** In the same breath, we may also note that the *Amici* have included consideration of **(i)** industries which contribute to the growing air pollution in Delhi and NCR and **(ii)** conserving and improving the green cover in Delhi as identified categories of issues to be considered by this Court. However, it must also be acknowledged that this Court is taking a comprehensive view on curbing air pollution in NCR in another case, i.e., Writ Petition (Civil) No. 13029/1985. Through a subsequent order, we anticipate that new *Suo Moto* Writ Petitions would be registered to reshape the proceedings therein. It may, thus, be more appropriate that the issues relating to air pollution in Delhi be taken up as a part of those proceedings.

**16.** *Secondly*, it has been suggested that various categories of IAs, such as those challenging the Master Plan for Delhi, 2021 and those relating to alleged encroachment on public lands, may be transferred to the Delhi High Court to be considered as part of its jurisdiction under Article 226. This would result in a lesser burden for this Court at the original stage, while also recognising the closeness of the High Court to the local issues involved. We are inclined to accept this

---

<sup>1</sup> In Re: Definition of Aravalli Hills and Ranges and Ancillary Issues.

proposal, not only for the reasons aforesaid but also keeping in mind the concurrent and expansive jurisdiction held by the High Court(s) on such issues. It goes without saying that in such circumstances, the High Court shall be bound by the previous orders passed by this Court from time to time.

- 17.** *Finally*, the learned *Amici* have also recommended that the pending IAs and other issues identified by this Court may be taken up through fresh *suo moto* cases. There is strength in this proposal of the learned *Amici Curiae*. It is certainly in the interest of justice that we formally dispose of the instant Writ Petition. Any issues that survive would, instead, be addressed through newly registered cases.

**C. DIRECTIONS**

- 18.** In the above context and in an attempt to bring order and efficiency in its adjudication of the issues pending in this Writ Petition, we issue the following directions:

- (i)** The instant Writ Petition stands formally disposed of;
- (ii)** In its place, the Registry shall register two new *Suo Moto* Writ Petitions (Civil), with the following titles, to consider the delineated issues:
  - (a)** “**Regulation of Hazardous Industries in the National Capital Region,**” including IAs regarding de-sealing or similar reliefs for ‘hazardous’ industries and those units

which do not adhere to the applicable Master Plan for Delhi, but not including IAs regarding closure of industries due to violation of regulations pertaining to air pollution; and

**(b) “Protection of Water Resources and Prevention of Water Pollution in the National Capital Region,”** including management of illegal waste discharge and unscientific misuse and depletion of groundwater; and

**(iii)** No new Interlocutory Application(s) or Miscellaneous Application(s) shall hitherto be entertained by the Registry in the instant Writ Petition or in the new *suo moto* cases, till further orders.

**19.** The Interlocutory Applications pending in the instant Writ Petition shall be dealt with in the manner explained hereafter:

**(i)** The concerned AOR (which would include Party-in-Person) who has filed the IA shall inform the Registry as to whether the IA has become infructuous due to orders passed by this Court or the efflux of time. If the AOR does not approach the Registry for the above purpose on or before 15.05.2026, it shall be presumed that the respective IA has been rendered infructuous;

**(ii)** If the AOR states that a particular IA has not become infructuous, he or she shall also place a note containing **(i)** the

subject matter of the IA; **(ii)** the details of the Applicant(s); **(iii)** the prayer sought; and **(iv)** the reason why the same is not already covered by the orders passed by this Court;

**(iii)** Meanwhile, the learned *Amici Curiae*, in collaboration with the learned counsel for Union of India, the States of Haryana, Rajasthan, Punjab, and Uttar Pradesh, and the NCT of Delhi, are requested to undertake a similar exercise and identify the various IAs that have been rendered infructuous, but are yet to be formally disposed of;

**(iv)** All the IAs, where the *Amici* and the respective AOR(s) are *ad idem* that the same are infructuous, shall be listed as Miscellaneous Applications before the Registrar Court for their final disposal;

**(v)** The IAs, which, according to the learned *Amici*, have become infructuous but remain pending as per the respective AOR(s), shall be marked as 'disputed'. Such IAs shall be listed as Miscellaneous Applications before the Registrar Court for determining whether the matter requires further consideration of this Court; and

**(vi)** The IAs, which the *Amici* have indicated require further consideration shall be transferred as follows:

- (a)** The IAs which pertain to regulation of land-use in the NCT of Delhi, validity and implementation of the Delhi Master Plan, and other ancillary issues, including illegal construction, misuse of land, encroachment on public land, challenges to the Master Plan for Delhi, 2021, and appeals/challenges to orders of the Monitoring Committee and the Judicial Committee, stand transferred to the High Court of Delhi;
- (b)** All the IAs pertaining to the definition of Aravalli Hills and Ranges, the activities permissible thereon, and other ancillary issues shall be transferred to Suo Moto Writ Petition (C) No. 10/2025;
- (c)** The IAs regarding **(i)** the cutting of trees, protection of the Ridge and Morphological Ridge Forest, tree census, and enhancement of tree coverage in Delhi, and **(ii)** the regulation of industries on account of growing air pollution in Delhi-NCR shall stand transferred to the appropriate *suo moto* case referred to in the subsequent order to be passed in Writ Petition (C) No. 13029/1985;
- (d)** The IAs which fall within the categories referred to in Paragraph 18(ii) shall stand transferred to the respective Suo Moto Writ Petition; and

(e) The IAs which do not pertain to any specific issue referred to above shall be dismissed, with liberty to the aggrieved party to move an appropriate petition before the High Court or this Court.

**20.** Similarly, the learned *Amici* are requested to submit to the Registry a list of specific issues that have been taken cognisance of by this Court and require further consideration but cannot be linked to any particular Interlocutory Application. Such issues shall then be taken up in appropriate proceedings, as per the subject matter involved.

**21.** An exercise analogous to that contained in Paragraph 19 shall be taken with respect to the Appeals and Petitions, except Contempt Petitions, tagged with the instant Writ Petition. Accordingly, if they are required to be considered by this Court, they shall be registered as IAs within the respective *Suo Moto* Writ Petition. In that respect, all tagged Contempt Petitions shall be separately listed after taking directions from the Chief Justice of India on the administrative side.

**22.** We request the Chief Justice of the Delhi High Court to register a *suo moto* case and constitute/appoint an appropriate bench to hear the IAs transferred to the High Court. We clarify that the adjudication by the High Courts shall be in exercise of the jurisdiction conferred under Article 226 of the Constitution.

- 23.** The Registry shall list the newly registered *Suo Moto* Writ Petitions after seeking directions from the Chief Justice of India on the administrative side.
- 24.** It is made clear that the disposal of the instant Writ Petition does not render this Court's previous orders and directions, issued from time to time, without any force. Such directions are final and continue to remain operative, subject to such further orders, modifications, or clarifications as may be issued in future proceedings. If, due to such previous directions, leave of this Court is required by a party, such party shall be at liberty to approach this Court through a fresh Writ Petition, giving all necessary particulars.
- 25.** Keeping in view the diversity of issues that would be considered by this Court in the new *suo moto* cases, it would be prudent not to lay down any specific guidelines at this stage. However, the *Amici* shall prepare a short note, indicating steps that may be taken to procedurally inculcate timeliness and reduce formal *minutiae* in the proceedings. That would, thus, be considered when the respective *Suo Moto* Writ Petition is taken for hearing by this Court.
- 26.** Ordered accordingly.
- 27.** As these proceedings conclude, we consider it fitting to acknowledge and appreciate the significant contributions of the learned counsel and the parties appearing in person, especially Shri M.C. Mehta and the learned *Amici Curiae*. Their unwavering dedication to the causes

espoused in these proceedings has been instrumental in this Court's endeavours to protect the natural resources in Delhi and the surrounding areas. It is our sincere hope that the momentum generated in the instant Writ Petition will sustain and inspire a renewed resolve to advance these vital objectives systematically and efficiently.

.....CJI  
(SURYA KANT)

.....J.  
(JOYMALYA BAGCHI)

.....J.  
(VIPUL M. PANCHOLI)

**NEW DELHI;  
MARCH 11, 2026**