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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9909/2026 & CM APPL. 46055/2026**

PRADEEP KUMAR GUPTA

....Petitioner

Through: Dr. Ashwani Bhardwaj with Mr
Vinay Jaiswal Ms Sarika Suman, Adv.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Ms. Prabhsahay Kaur, Standing
Counsel DDA, Mr. Aditya Verma, Mr. Kamlendu
Pandey, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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22.07.2026

CM APPL. 46056/2026

Exemption is granted subject to all just exceptions.

The application is disposed of.

W.P.(C) 9909/2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a. ISSUE the WRIT OF CERTIORARI or any other appropriate Writ, Order or direction, inter-alia, quashing the orders dt. 07.07.2025 – S. No. 1094, dt. 07.07.2025 – S. No. 1095, dt. 07.07.2025 – S. No. 1096, dt. 07.07.2025 – S. No. 1092, dt. 07.07.2025 – S. No. 1093, dt. 07.07.2025 – S. No. 1097, dt. 07.07.2025 – S. No. 1098, dt. 26.07.2025 – S. No. 1301, dt. 26.07.2025 – S. No. 1302, dt. 26.07.2025 – S. No. 1303, dt. 26.07.2025 – S. No. 1304, dt. 26.07.2025 – S. No. 1100, dt.



01.08.2025 – S. No. 1307, dt. 01.08.2025 – S. No. 1306, dt. 01.08.2025 – S. No. 1305, dt. 08.08.2025 – S. No. 1308, dt. 24.09.2025 – S. No. 1318, dt. 24.09.2025 – S. No. 1316, dt. 24.09.2025 – S. No. 1317, dt. 30.09.2025 – S. No. 1320, dt. 25.10.2025 – S. No. 1323, dt. 25.10.2025 – S. No. 1324, and

b. ISSUE the WRIT OF CERTIORARI or any other appropriate Writ, Order or direction inter-alia, quashing the order dt.25.06.2026 passed by the Respondents rejecting the representation of the Petitioner. ...”

2. For the reasons stated in the petitions, issue notice.
3. Ms Kaur, learned standing counsel accepts notice on behalf of the respondent.
4. The brief facts of the case are that the petitioner is an owner of registered transport business operating in Delhi, which provides pick up/ drop-off services for school children and as per the petitioner, the petitioner is using eco-friendly CNG buses.
5. It is the case of the petitioner that due to the ongoing renovation work within the school campus, the petitioner’s buses could not be parked inside the campus and to avoid public traffic congestion, the buses were parked under the fly-over opposite Mayur Vihar Phase-I Metro Station.
6. The petitioner’s grievance is with regards to the various penalty notices issued by the respondent, imposing a fine of Rs. 50,000/- per bus for 22 buses, relying on the Judgment dated 13.01.2015 of the Nation Green Tribunal (“NGT”) and Section 15 of the National Green Tribunal Act, 2010.
7. Being aggrieved by the notices, the petitioner preferred a writ petition



bearing W.P.(C) No. 7093/2026 before this Court, which was disposed of *vide* Order dated 26.05.2026, directing the respondent to hear the representation of the petitioner and pass a speaking order.

8. Consequently, the respondent has passed a speaking order dated 25.06.2026 upholding the penalty of Rs. 50,000/- per bus against the petitioner.

9. Dr. Bhardwaj, learned counsel for the petitioner, states that Rs. 50,000 penalty could only be imposed if there was any illegal dumping in the river Yamuna or its floodplains.

10. In support of his submission, he draws my attention to the paragraph No. 94(iv)(c) of judgment of the NGT dated 13.01.2015 and titled ***Manoj Mishra & Ors. v. Union of India & Ors. (Original Application No. 6 of 2012 And M.A. Nos. 967/2013 & 275/2014)***, which reads as under:-

“(c) Whoever violates this direction relating to the dumping of debris, shall be liable to pay compensation of Rs. 50,000/- on the ‘Polluter Pays’ Principle and the Precautionary Principle. Such compensation shall be used for removal of such waste and restoration of environment.”

11. He further draws my attention to the findings contained in the order dated 25.06.2026 passed by the respondent upholding the aforesaid penalty, the relevant portions of the same reads as under:-

“3. Findings

Upon consideration of the submissions made by the applicant and examination of the available records, the following findings are recorded:

- *The plea of lack of awareness regarding restrictions*



applicable to the Yamuna Flood Plain area is not tenable, particularly in environmentally sensitive and regulated areas.

- *The contention that the vehicles were not involved in dumping activities does not absolve the applicant, as unauthorized parking itself constitutes misuse of the regulated flood plain area.*
- *The reasons advanced by the applicant regarding non-availability of parking space due to repair works at the school premises cannot justify continued parking of vehicles in a prohibited and environmentally sensitive area.*
- *The challans were issued in accordance with the regulatory framework applicable for protection and preservation of the Yamuna Flood Plains.*
- *No sufficient grounds have been brought on record warranting waiver, withdrawal or reduction of the challan amounts.”*

12. He states that once there is a finding that there was no illegal dumping in the river, the fine of Rs. 50,000/- per bus, could not have been imposed upon the petitioner and it should have been Rs. 5,000/-.

13. I am unable to agree with the said contention as the judgment of the NGT is to be read in totality and in a comprehensive manner. Paragraph Nos. 94(vi)(b) and 94(vi)(d) of **Manoj Mishra (Supra)** read as under:-

“(b) Indiscriminate dumping of debris and construction waste is a direct source of not only pollution of River Yamuna, but even the environment and ecology as a whole.



In order to control and prevent such pollution, we confirm the interim order dated 22nd July, 2013, passed by the Tribunal, with the variation in payment of amount of compensation payable by the offender and direct that no person, authority, corporation and/or by whatever name or designation it is called, shall dump any kind of construction debris, municipal, or any other waste on the floodplain/river bed of River Yamuna and its associated water bodies. There shall be complete prohibition on dumping of any material in and around River Yamuna.

...

(d) We hereby prohibit any person from throwing pooja material or any other material like, food-grain, oil, etc into River Yamuna, except on the designated site. Any person who is found disobeying this direction shall be liable to pay compensation of Rs. 5,000/- on the 'Polluter Pays' Principle. 189 89 At the same time, we direct the concerned authorities, particularly, the Irrigation Department and concerned Corporations or authorities to build special Ghats on the banks of River Yamuna, where people could offer or immerse such materials, which shall then be duly collected by the concerned authorities for immediate and proper disposal in a scientific manner. It shall be ensured that no such material is permitted to join the main stream of the river at any point. In this regard they may take such steps, as may be technically advised, including, providing of



screens and barricades.”

14. A perusal of the aforesaid shows that the endeavour of the NGT as well as the Courts have been to prevent Yamuna floodplains from encroachment and illegal parking, and particularly “dumping of waste in the river”, is only an incidental offshoot thereof.

15. I am of the view that the fact that buses were parked on the Yamuna floodplains is in itself an illegality as no commercial activity of any kind can be allowed to take place in an environmentally sensitive area i.e., Yamuna floodplains. The illegal parking alongwith photographs also show garbage and dumping of waste.

16. For the said reasons, I find no infirmity in the impugned order dated 25.06.2026 passed by the respondent and consequently, the writ petition is dismissed.

17. The photographs showing buses and its commercial use handed over in Court today are taken on record.

JASMEET SINGH, J

JULY 22, 2026/AS