

2023 LiveLaw (SC) 607

**IN THE SUPREME COURT OF INDIA
SANJAY KISHAN KAUL; J., SUDHANSHU DHULIA; J.
Writ Petition(s)(Civil) No(s). 13029/1985; 24-07-2023
M.C. MEHTA *versus* UNION OF INDIA & ORS.**

Registration of all BS VI Compliant diesel vehicles is allowed to be done in NCT Delhi, irrespective of their requirement for the G-20 summit.

For Petitioner(s) Applicant-in-person (NP) Petitioner-in-person (NP)

For Respondent(s) Ms. Aishwarya Bhati, A.S.G. Mr. Gurmeet Singh Makker, AOR Ms. Suhasini Sen, Adv. Mr. Rajesh Kumar Singh, Adv. Mr. S.s. Rebello, Adv. Mr. Subhranshu Padhi, Adv. Ms. Archana Pathak Dave, Adv. Mr. Wasim Qadri, Adv. Ms. Ruchi Kolhi, Adv. Dr. Arun Kumar Yadav, Adv. Mr. Rohan Gupta, Adv.Mr. G.S. Makker, AORMrs. Aishwarya Bhati, A.S.G. Mrs. Suhasini Sen, Adv. Mr. Rajesh Kumar Singh, Adv. Mr. Shubhranshu Padhi, Adv. Mrs. Archana Pathak Dave, Adv.Mr. Amrish Kumar, AORMrs. Aishwarya Bhati, ASG Ms. Alka Grawal, Adv.Ms. Archana Dave Pathak, Adv.Ms. Baby Devi Bonia, Adv.Mr. prashant Singh, Adv.Mr. Siddhartha Sinha, Adv.Mr. Raj Bahadur Yadav, AORDr. Abhishek Manu Singhvi, Sr. Adv. Ms. Malvika Kapila, AOR Ms. Tanwangi Shukla, Adv. Mr. Siddharth Singh, Adv.Mr. Jyoti Mendiratta, AORMr. Kapil Sibal, Sr. Adv.Mr. Shariq Ahmed, Adv.Muhammad Ali Khan, Adv.Mr. Tariq Ahmed, Adv.Mr. Omar Hoda, Adv.For M/s Ahmadi Law OfficesMr. Dhruv Mehta, Sr. Adv.Mr. Himanshu Vij, Adv.Mr. Akhil Anand, AORMr. Lokesh Sinhal, Sr. A.A.G. Mr. Sanjay Kumar Visen, AOR Mr. Kamendra Mishra, AOR Mr. Ajay Pal, AOR Mr. Mayank Dahiya, Adv. Ms. Sugandh Rathor, Adv.Mr. Sandeep Kr. Jha,AOR Mr. Arpit Prakash, Adv. Ms. Subhamgi Agarwal, Adv.Mr. Parijat Sinha, AOR Mr. Rudra Dutta, Adv. Ms. Pallak Bhagat, Adv. Ms. Reshmi Rea Sinha, Adv.Ms. Neeru Vaid, AOR Mr. S.S. Ray, Adv.Mr. Manu Monga, Adv.Ms. Rakshi Ray, AORMr. A.N.S. Nankarni, Sr. adv.Mr. Rajesh Katyal, Adv.Mr. Devendra Kumar Singh, Adv.Ms. Parina Katyal, Adv.

ORDER

COMPLIANCE AFFIDAVIT IN RE: REGIONAL RAPID TRANSPORT SYSTEM IN RE: DELHI-ALWAR AND DELHI-PANIPAT CORRIDOR

We were constrained to pass the last order only on account of the fact that the Government of NCT of Delhi having thrown up its hands to contribute the requisite amount to the projects in question which have been monitored by this Court!

We put to learned senior counsel that if Rs. 1100 Crores can be spent as a budget on the last three financial years, certainly contribution can be made to the infrastructural projects. Learned senior counsel fairly states that on his advice the State is agreed to make budgetary provisions for the projects in question in accordance with the schedule laid down as the schedule itself is spread over a period of time. We accept the statement and the State Government will remain bound by it while making the budgetary provisions. The overdue amount, if any, will be paid within two months.

IA NOS. 46925/2021, 52979 AND 46903/2023

Learned Counsel for the Municipal Corporation seeks time to file reply within four weeks.

List on 05.09.2023.

IA NOS. 129630/2023 AND 129627/2023

Issue notice.

Mr. Raj Bahadur Yadav, accepts notice on behalf of DGFT.

Mr. Akhil Anand, learned counsel accepts notice on behalf of M/s Sanvira Industries Ltd., which is one of the six original consignors.

Reply be filed within two weeks.

Rejoinder thereto, be filed within two weeks thereafter.

Learned ASG submits that a report is to be also filed by the Commission for Air Quality Management (CAQM) so that a better quietus can be put to this matter. The report of the Commission be accordingly submitted within three weeks with advance copy to the learned Amicus Curiae.

List on 05.09.2023.

IA NO. 141728/2023

Taken on Board.

Mr. Kapil Sibal, learned senior counsel states that the issue raised in this application is also identical to the aforesaid and thus this application be also taken up on the next date. Responses be similarly filed as aforesaid. Ordered accordingly.

It is stated that there are some applications sought to be filed electronically which have an identical issue. The Registry to look into the matter. If there are identical issues those applications be also listed together.

IA NO. 131053/2023

Taken on Board.

Learned counsel for the applicant submits that the order dated 15.05.2023 is being interpreted to imply that only such of the BS VI Compliant diesel vehicles are to be registered as required for G-20 and not encompassing all such vehicles.

From a reading of the order it does appear that the order has been passed in the aforesaid terms but learned Amicus Curiae submits that the registration as per directions passed earlier did not relate to the BS VI vehicles and thus all such vehicles may be registered.

In view of the aforesaid, we modify the order dated 15.05.2023 to permit registration of all such vehicles.

The application stands disposed of.

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