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

Date of Decision: 31.08.2018

+ W.P.(C) 9227/2018

DEVENDER YADAV Petitioner

Through: Mr. Manohar Malik, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondents

Through: Ms. Mini Pushkarna, Standing
Counsel for North DMC/R-1 with Ms. Swagata
Bhuyan, Adv.

Mr. Sameer Vashisht, ASC (Civil) for R-2 & 3.
Mrs. Suparna Srivastava with Ms. Nehul Sharma,
Advs. for R-5 to 7.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

RAJENDRA MENON, CHIEF JUSTICE (ORAL):

CM APPL. 35607/2018 (exemption)

Allowed, subject to just exceptions.

The application stands disposed of.

W.P.(C) 9227/2018 & CM APPL. 35606/2018 (stay)

1. This Public Interest Litigation under Article 226 of the Constitution of India has been filed and the prayer made in the petition is to issue a mandamus to respondent No.1, namely, the North Delhi Municipal Corporation to shut down Bhalswa Landfill Site which is used for dumping

of municipal solid waste. Further prayer is to give direction to adopt a scientific methodology in consonance with the Solid Waste Management Rules, 2016 to evolve a method of dumping the solid waste and further to cancel a tender issued on 09.04.2018 for setting up of a Municipal Solid Waste Processing Facility in the area in question. The establishment of Solid Waste Management System in the entire area of Delhi, according to the learned counsel appearing for the respondents, is being undertaken in pursuance to recommendations made for long term action plan under the Solid Waste Management System in the area of Delhi and the same is being monitored by the Hon'ble Supreme Court in petitions pending before it.

2. Once we are apprised of the fact that the issue of Solid Waste Management in the area of Delhi is *sub judice* before the Hon'ble Supreme Court in various petitions, it is not appropriate for us to exercise jurisdiction and interfere into the matter.

3. Accordingly, in view of the above, the petition is dismissed. The pending application also stands disposed of.

CHIEF JUSTICE

V. KAMESWAR RAO, J

AUGUST 31, 2018
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