



2026:DHC:3732



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

+ **W.P.(C) 4302/2022 & CM APPL. 12830/2022**

Date of Decision: **22.04.2026**

IN THE MATTERS OF:-

**MANGOLPURI INDUSTRIAL AREA PHASE 1 AND 2 CETP
SOCIETY**

.....Petitioner

Through: Mr Deevanshu Sharma, Ms. Simran
Chawla, Mr. Kartik Wadhwa, Mr.
Deeshant Sharma & Ms. Dipakshi
Aggarwal, Advocates.

versus

DELHI POLLUTION CONTROL COMMITTEE & ORS.

.....Respondents

Through: Mr. Kush Sharma, Mr. Nishchaya
Nigam, Advocates for DPCC.
Mr. Balendu Shekhar, CGSC with
Mr. Krishna Chaitanya and Mr.
Divyansh Singh Dev, Advs. for
CPCB.
Ms. Zehra Khan, Advocate for R3.

+ **W.P.(C) 6804/2022&CM APPL. 40382/2022**

**KESHAVPURAM INDUSTRIAL AREA (KESPIA) CETP
SOCIETY**

.....Petitioner

Through: Mr Deevanshu Sharma, Ms. Simran
Chawla, Mr. Kartik Wadhwa, Mr.
Deeshant Sharma & Ms. Dipakshi
Aggarwal, Advocates.



2026:DHC:3732



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Divyansh Singh Dev, Advocates for
CPCB.
Ms. Zehra Khan, Advocate for R3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

J U D G E M E N T

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The petitioners are challenging the orders, both of which are dated 07.07.2021, passed by the Delhi Pollution Control Committee (hereinafter, "DPCC"), whereby it has imposed environmental compensation upon the petitioners under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter, "Water Act"). The primary grievance raised by the petitioners herein relates to the non-consideration of the reply filed by them in response to the Show Cause Notices (hereinafter, "SCN") issued by the DPCC.

2. Learned counsel appearing for the petitioners places reliance on several orders passed by this Court in *Okhla Industrial Area CETP Society v. Delhi Pollution Control Committee & Ors.*¹; *GT Karnal Road Industrial*

¹ WP(C) 2119/2022 dated 04.02.2022.



2026:DHC:3732



*Estate CETP Society (Regd.) v. Govt. of NCT of Delhi & Ors.*²; *M/s Super Wash v. Govt. of NCT of Delhi & Ors.*³; *M/s India Navigation Company v. Govt. of NCT of Delhi & Anr.*⁴; and *HI-Print Corporation v. Govt. of NCT of Delhi & Anr.*⁵

3. The Court has considered the submissions made by the parties and has perused the impugned order in W.P.(C) 6804/2022. It appears that the sole consideration adopted in the impugned order is that the reply filed by the petitioner in response to the SCN was not found satisfactory. The relevant part of the said order has been extracted below:

“And whereas, Keshav Puram Industrial Area (KESPIA) CETP Society (Regd.), Near India Oil Petrol Pump & Lawrence Road Tel Exchange, Ring Road, Delhi – 110035 have submitted reply dated 16.04.2021 & 01.06.2021 and the same have duly been considered and found not satisfactory.”

4. Similar is the position in the order impugned in W.P.(C) 4302/2022. The said order merely states that an SCN was issued to the petitioner and a reply was submitted in response to it, however, the same was found to be not satisfactory.

5. The Court, thus, finds that the impugned orders, though record the factum of issuance of the SCN and the consequent reply filed by the petitioners, they, however, do not spell out any reasons as to why the reply was not found to be satisfactory.

6. The Supreme Court, in *Siemens Engg.& Mfg. Co. of India Ltd. v.*

² WP(C) 5840/2022 dated 03.09.2024.

³ WP(C) 4160/2025 dated 20.01.2026.

⁴ WP(C) 7357/2025 dated 25.03.2026.

⁵ WP(C) 10987/2025 dated 07.04.2026.



2026:DHC:3732



*Union of India*⁶, held that recording of reasons in support of an order is a basic tenet of natural justice. It was further held that the requirement of passing reasoned orders must be observed in its proper spirit; a mere pretence of compliance would not be enough. Further, in *Union of India v. Ibrahim Uddin*⁷, the Supreme Court made the following observations on the importance of passing reasoned orders:

*“44. It is a settled legal proposition that not only administrative order, but also judicial order must be supported by reasons, recorded in it. Thus, while deciding an issue, the court is bound to give reasons for its conclusion. It is the duty and obligation on the part of the court to record reasons while disposing of the case. The hallmark of order and exercise of judicial power by a judicial forum is for the forum to disclose its reasons by itself and giving of reasons has always been insisted upon as one of the fundamentals of sound administration of the justice delivery system, to make it known that there had been proper and due application of mind to the issue before the court and also as an essential requisite of the principles of natural justice. The reason is the heartbeat of every conclusion. It introduces clarity in an order and without the same, the order becomes lifeless. Reasons substitute subjectivity with objectivity. The absence of reasons renders an order indefensible/unsustainable, particularly when the order is subject to further challenge before a higher forum. Recording of reasons is the principle of natural justice and every judicial order must be supported by reasons recorded in writing. It ensures transparency and fairness in decision-making. The person who is adversely affected must know why his application has been rejected. (Vide *State of Orissa v. Dhaniram Luhar* [(2004) 5 SCC 568 : (2008) 2 SCC (Cri) 49 : AIR 2004 SC 1794] , *State of Uttaranchal v. Sunil Kumar Singh Negi* [(2008) 11 SCC 205 : (2008) 2 SCC (L&S) 1093] , *Victoria Memorial Hall v. Howrah Ganatantrik Nagrik Samity* [(2010) 3 SCC 732 : AIR 2010 SC 1285] and *Sant Lal Gupta v. Modern Coop. Group Housing Society Ltd.* [(2010) 13 SCC 336 : (2010) 4 SCC (Civ) 904])”*

7. Therefore, the Court finds that the impugned orders have been passed in a mechanical and cryptic manner, reflecting non-application of mind. In

⁶(1976) 2 SCC 981.

⁷(2012) 8 SCC 148.



2026:DHC:3732



the absence of reasons, the petitioners would be precluded from effectively seeking further remedy.

8. The impugned orders, are therefore, set aside. The matters are remitted back to the DPCC for reconsideration. The DPCC shall be at liberty to issue a fresh SCN and upon due consideration of the petitioners' reply, the DPCC shall be at liberty to pass fresh orders.

9. Accordingly, the writ petitions stand disposed of. Pending applications also stand disposed of.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 22, 2026

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