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WP-26802-2018

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA,
ACTING CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 13th OF AUGUST, 2026

WRIT PETITION No. 26802 of 2018

ANAND

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Dr. Anuvad Shrivastava - Advocate for the petitioner.

Dr. S. S. Chouhan- Government Advocate for respondent/State.

Shri Piyush Bhatnagar- Advocate for respondent/Union of India.

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WITH

WRIT PETITION No. 13864 of 2019

VIVEK KUMAR SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Anshuman Singh- Advocate for the petitioner.

Dr. S.S Chouhan- Government Advocate for respondent/State.

Shri Piyush Bhatnagar- Advocate for respondent/Union of India.

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ORDER

Per. Vivek Rusia, Acting Chief Justice

The petitioner has filed present petition seeking following



relief(s):-

"(i) issue writ, order or direction in the nature of mandamus to stop cutting of trees;

(ii) any order or direction in the nature of mandamus to protect green trees of district and punish the culprit for their illegal actions.

(iii) Notification dated 24.09.2015 passed by respondent no.1 be quashed as it is causing great harm to the ecological balance.

(iv) Any other relief which this Hon'ble court deems fit be granted to the petitioner."

So far notification dated 24.09.2015 is concerned, the Full Bench of this Court in ***W.P No. 13864/2019 (Vivek Kumar Sharma Vs. State of Madhya Pradesh & ors)*** and ***W.P No. 26802/2018 (Anand Vs. State of Madhya Pradesh & ors)*** on 01.03.2025 has struck down the said notification. In W.P No.13864/2019, the petitioner has sought one more relief regarding cutting and falling of the trees for the purpose of widening of the road in the State of Madhya Pradesh. According to the petitioner, the trees are being cut for widening of the road as well as construction of new highways, but there is no plantation to compensate such falling of trees. The petitioner has approached this Court in the year 2019. Thereafter much development has taken place and various new highways have been constructed and widened and there is no data that how many trees were cut for such purpose and how many trees plantation have been done till date; therefore, we hereby disposed these petitions with the direction that if the petitioners are stilling willing to raise similar cause, they may collect data and approach this Court again.



Meanwhile, the petitioners are also directed to plant 25-25 fruit bearing trees in their respective area marked by the Municipal Corporation and submit a report. Since the reference has been answered in favour of the petitioner; therefore, the same be implemented.

With the aforesaid, these petitions are disposed of.

(VIVEK RUSIA)
ACTING CHIEF JUSTICE

(PRADEEP MITTAL)
JUDGE

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