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WP-41885-2025

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 1st OF SEPTEMBER, 2026

WRIT PETITION No. 41885 of 2025

DAYODAY MAHASANGH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

*Shri Sankalp Kochar and Shri Yash Lodha - Advocates for the
petitioners.*

Shri Anubhav Jain - Government Advocate for the respondent/State.

*Shri Siddharth Seth - Advocate for the respondent No.3 appearing
through Video Conferencing.*

Shri Suyash Mohan Guru- Advocate for the respondent No.4.

*Shri Rahul Chourey, Shri Shubham Patel and Shri Gaurav Tiwari -
Advocates for the respondent No.5.*

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ORDER

Per. Vivek Rusia, Acting Chief Justice

The petitioners have filed this present Public Interest Litigation seeking immediate and permanent closure of the new, massive-capacity abattoir/slaughterhouse operating at the Maida Mill Road, Jinsi, Bhopal site on the ground that this operation can cause severe and continuing public



injury.

2. The facts of the case, in short, are as under :-

(i) The petitioners are concerned organisations of Bhopal, formed by people who are strong believers of *Ahinsa Parmodharmah*. The dispute relates to establishment and operation of the slaughterhouse of Bhopal Municipal Corporation (hereinafter referred as “BMC” in short) which was initially situated at Jinsi Road, Bhopal. There was a subsequent proposal of the National Green Tribunal (In short: the NGT) to construct the slaughterhouse in question at some other alternative site.

(ii) According to the petitioners, the slaughterhouse situated at Jinsi Road, Bhopal had been functioning without the requisite environmental compliances and consent of the Madhya Pradesh Pollution Control Board (MPPCB). During inspections conducted on 22.01.2015 and 19.02.2015, untreated effluents were found to be discharged into the drainage system, ultimately forming part of the Patra Nallah–Halali–Betwa river system. It was also alleged that no functional Effluent Treatment Plant (“ETP”) was available and there were no existing arrangements for treatment and disposal of slaughterhouse waste.

(iii) In proceedings initiated before the NGT, serious violations of environmental norms were noticed. Vide order dated 30.09.2015 (Annexure P-3), the NGT directed closure of the Jinsi Road slaughterhouse and directed the State authorities and BMC to identify and develop a new site for a slaughterhouse within the prescribed time. It was also noticed that the slaughterhouse was operating in violation of Sections 24 and 26 of the Water



(Prevention and Control of Pollution) Act, 1974. Despite the aforesaid directions issued by NGT, there was considerable delay in establishing the alternative slaughterhouse on part of the respondents. The NGT passed successive orders requiring the authorities to finalise the site, prepare a DPR, complete the tender process and make the new facility operational within the stipulated period. Penalties and performance guarantees were also directed on account of continued non-compliance.

(iv) During the course of the proceedings, approximately 44.98 acres of land at Adampur Village/Adampur Chhavani was identified for establishment of the new slaughterhouse. However, the proposed site encountered public opposition and other administrative and political difficulties. Thereafter, the Authorities continued to consider alternative arrangements.

(v) The NGT, vide its order dated 18.07.2019 (Annexure P-7), directed that the new slaughterhouse be made operational with effect from 31.12.2019 and imposed further conditions relating to performance guarantee and penalty for delay. Subsequently, BMC placed an affidavit before the NGT stating that the Jinsi Road slaughterhouse had been closed on 24.10.2019 and locked by the Bhopal Municipal Corporation with the assistance of the district administration and police. However, vide order dated 12.12.2019, the NGT recorded serious observations regarding the conduct of BMC. The learned Tribunal noticed that, notwithstanding the order directing closure, the material placed before it *prima facie* indicated that a fraud had been committed upon the Court by the BMC. Thereafter, the authorities continued



the process of identifying and developing a site for a modern slaughterhouse.

(vi) On 08.07.2021, a four-member Joint Committee was constituted consisting of senior officers of the Urban Administration and Development Department, MPPCB, BMC and the district administration for finalisation of the land. By the final judgment/order dated 08.10.2021 (Annexure P-12), the NGT considered the continuing difficulties in implementation of its earlier directions. The Tribunal recorded that BMC had been searching for suitable land for several years and identified land at Adampur Chhavani, but due to public protests and political issues, the proposal for the said land was deferred.

(vii) The present controversy subsequently arose by way of this Public Interest Litigation in relation to the **proposed construction/establishment** of the modern slaughterhouse and the land selected for that purpose. The proposed facility was contemplated with substantial processing capacity, including processing of approximately 200 metric tonnes of fresh/frozen meat per day and rendering capacity of approximately 60 metric tonnes per day. BMC also referred to a larger slaughtering capacity in its compliance material, namely approximately 500 large animals and 1,000 small animals per day. According to the petitioner, the BMC proceeded with the aforesaid proposal and issued Tender No. 2021_UAD_174595_2 dated 28.01.2022 (Annexure P-2) for establishment/construction of the proposed modern slaughterhouse.

(viii) It is submitted by learned counsel for the petitioners that vide



interim order dated 20.12.2023 (Annexure P-15) passed in Writ Petition. No. 23691/2022 (Qureshi Social Welfare Society Vs. State of M.P), the Division Bench of this Court considered the legality of the proposed site. The Court particularly noticed that the land adjoining the earlier Jinsi Road slaughterhouse site was being considered for the new slaughterhouse. It was also observed that, if BMC intended to allot such land for establishment of the new slaughterhouse, appropriate permission from the Hon'ble Supreme Court ought to have been sought. The Court further observed that identification of adjoining land and joining it with the land on which the old slaughterhouse was situated was contrary to the directions issued by the NGT.

(ix) The Hon'ble Supreme Court, vide order dated 27.02.2024 (Annexure P-16) dismissed the Civil Appeal No.9378/2019 with connected appeals as having been rendered infructuous. Subsequently, vide order dated 07.03.2024 (Annexure P-17) passed in Special Leave Petition (SLP) No. 5025/2024, the Hon'ble Supreme Court stayed the operation of the order dated 20.12.2023 passed by this Court, *inter alia*, noticing that approximately Rs.29 crores had already been spent on the said construction. Later on, vide order dated 04.09.2024 (Annexure P-18), Writ Petition No. 23691/2022 was also withdrawn. The Hon'ble Supreme Court, by order dated 13.12.2024 (Annexure P-19), recorded the withdrawal of the above-mentioned SLP.

(x) The BMC submitted a compliance report concerning the “Modern Slaughterhouse, Jinsi, Bhopal” (Annexure P-20), wherein it was stated that the capacity of the existing/working/proposed slaughterhouse is



approximately 500 bovines (large animals) per day and 1,000 small animals per day. The petitioner contends that this assertion is inconsistent with the earlier judicial directions requiring the closure of the Jinsi Road slaughterhouse. It is further submitted that, vide communication dated 24.08.2023, the BMC granted an extension in relation to the said project. According to the petitioners, the grant of such extension demonstrates that the execution of the project continued notwithstanding the pendency of the judicial proceedings and the objections raised regarding the legality of the site. The petitioners have also placed reliance on the judgment passed by the Hon'ble Supreme Court in the case of *"Laxmi Narain Modi Vs. Union of India and Others"*, reported in *(2014) 2 SCC 417*", along with the orders passed by the NGT, contending that the environmental, public health and statutory requirements governing slaughterhouses were binding upon BMC and the State authorities.

(xi) In the light of the above, the petitioners contend that the proposed modern slaughterhouse cannot be permitted to be established or operated in a manner which defeats the closure directions issued against the earlier slaughterhouse or circumvents the subsequent judicial directions concerning identification and development of a new site. Hence, this present Public Interest Litigation is filed before this Court.

Submissions made on behalf of the petitioners.

3. Learned counsel for the petitioners submits that the entire history of the matter demonstrates persistent and continuing non-compliance on the part of the BMC and the State authorities with the binding orders passed by



the NGT, as well as with the directions arising from the judgment of the Hon'ble Supreme Court in *Laxmi Narain Modi (supra)*. It is submitted that the Jinsi Road slaughterhouse had been specifically directed to be closed on account of serious environmental violations. The NGT had found that the slaughterhouse was being operated without valid consent under the Water (Prevention and Control of Pollution) Act, 1974, that untreated effluent was being discharged, and that such discharge ultimately affected the Halali–Betwa river system. Learned counsel submits that the NGT had not merely directed closure of the existing slaughterhouse, but had also required the authorities to identify and develop an appropriate alternative site. Therefore, the respondents could not, under the guise of establishing a “modern” slaughterhouse, select land adjoining or forming part of the erstwhile Jinsi Road slaughterhouse site in a manner that effectively defeats or circumvents the directions issued by the NGT.

4 . Learned counsel for the petitioners further submits that the Division Bench of this Court, in its order dated 20.12.2023 passed in Writ Petition No. 23691/2022, specifically noticed that the land adjoining the old slaughterhouse was being considered for the proposed facility. It was observed that, if the BMC intended to utilise such land for the new slaughterhouse, appropriate permission from the Hon'ble Supreme Court would be required. According to the petitioners, no such permission was obtained by the respondents. Therefore, the petitioners submit that the subsequent construction or development of the facility cannot be validated merely on the ground that substantial public funds have already been



expended thereon.

5 . Learned counsel, by placing reliance upon the Tender No. 2021_UAD_174595_2 order dated 28.01.2022 submits that the tender process itself demonstrates that the respondents proceeded with the project despite the subsisting objections regarding the legality and suitability of the site. It is also submitted that the compliance report submitted by BMC describing the facility as “*Modern Slaughterhouse, Jinsi, Bhopal*” and referring it to its substantial slaughtering capacity establishes a direct connection between the proposed facility and the very site/facility which was required to be closed pursuant to the NGT's orders.

6. Lastly, it is submitted that environmental protection, public health and strict compliance with statutory and judicial requirements must prevail over considerations of administrative convenience or financial expenditure. The respondents are, therefore, required to strictly adhere to and comply with the directions issued by the NGT and the superior Courts before establishing or operating the proposed slaughterhouse.

Submission made on behalf of respondents/BMC

7. *Per contra*, learned counsel appearing for Bhopal Municipal Corporation submits that the Corporation has acted in furtherance of the directions issued by the NGT and has made continuous efforts to establish a modern and environmentally compliant slaughterhouse. It was submitted that the proposed facility is a modern slaughterhouse with substantially improved infrastructure and environmental safeguards, including arrangements for processing of meat and rendering of slaughterhouse waste. The facility is



therefore fundamentally different from the old slaughterhouse whose operations had been found environmentally non-compliant.

8. Learned counsel appearing for Respondent No. 5 submits that substantial public funds, approximately ₹29 crores, have already been expended upon the construction of the project. The Hon'ble Supreme Court, while staying the High Court's order dated 20.12.2023 by order dated 07.03.2024, took note of the said expenditure. Further, it was also submitted that the subsequent proceedings before the Hon'ble Supreme Court, including withdrawal of the appeals/SLP, have materially altered the procedural position and that the respondents cannot be prevented from completing or utilising a public infrastructure project which has substantially progressed.

9. Learned counsel also submits that the capacity figures referred to in the compliance report is related to the modern/proposed facility and cannot automatically be equated with the illegal operations of the erstwhile Jinsi Road slaughterhouse. The new facility is intended to function subject to the requisite statutory and environmental permissions. It is contended that the State Authorities have acted *bona fide* and have attempted to balance the requirements of environmental protection, public health, municipal administration and the need for an organised slaughterhouse facility for the city.

10. Accordingly, in view of the above, the respondents sought dismissal of the petition and contend that no interference is warranted with the project, particularly in view of the expenditure already incurred, the



subsequent judicial orders and the steps taken by the authorities towards establishment of a modern facility.

Appreciation & Conclusions

11. The petitioner no.1/Dayoday Mahasangh represented through Shri Ashok Kumar Jain, volunteer resident of Bhopal, petitioner no.2/Rashtriya Jin Sanshan Ekta Sangh represented through Shri Rakesh Jain Gohil, another volunteer resident of Bhopal and petitioner no.3/Jan Jagrati Samiti represented by Shri Randhir Kumar Patel, resident of Bhopal. They have filed this public interest litigation seeking writ of mandamus on behalf of public at large for immediate and permanent closure of the new, massive capacity abattoir/slaughter house situated at Maida Mill Road, Jinsi, Bhopal. The respondent no.4/Municipal Corporation Bhopal, after prolong litigation before the NGT and ending up at the Supreme Court, issued the work order dated 28.06.2022 (Annexure P-2) to the respondent no.5/Ms Livestock Food Processors Pvt. Limited for establishment of Modern abattoir/slaughter house at Jinsi, Bhopal, on a design, build, finance, operate and transfer basis under a Public Private Partnership Model.

12. The said work order was challenged in W.P No. 23691/2022 by Qureshi Social Welfare State. Vide order dated 20.12.2023 (Annexure P-15), this Court stayed the construction work. Against the said interim order, the respondent No. 5 approached by way of SLP No.5025/2024 (Annexure P-17); the Apex Court, vide order dated 07.03.2024, stayed the order dated 20.12.2023 taking into consideration the fact that 29 crores have already been spent on the project. Finally, W.P No. 23691/2022 was



withdrawn vide order dated 04.09.2024 (Annexure P-18); therefore, now the petitioners have approached this Court **after a period of 3 years**, when the entire slaughterhouse has been constructed and put to operation. The respondent no.5 has filed a reply stating that the NGT, vide order dated 08.10.2021 (Annexure P-13) passed in O.A No. 337/2014, has constituted a Joint Committee to finalise the matter pertaining to allotment of land and setting up of a modernised slaughterhouse. After due deliberation, the Joint Committee noted that 2.67 acres of land adjoining the existing premises was available and further recommended establishment of a new, modernised slaughter house strictly in accordance with CPCB guidelines. Thereafter, the State Level Monitoring Committee constituted by the NGT vide order dated 08.10.2021, disposing of the O.A No. 337/2014, to monitor the construction of such a modern slaughterhouse with all modern facilities.

13. The respondent no.5 filed photographs (Annexure R/5/4) to show that slaughter house has been established and all necessary permissions have been granted by the M.P Pollution Control Board after due inspection. Therefore, now this petition cannot be entertained after three years when the respondent no.5 under contract with the respondent no.4 have invested huge amount and established the modern slaughter house with all modern facilities. So far issue of pollution is concerned, the M.P Pollution Control Board have already inspected and granted license. The present public interest litigation is nothing but misuse of process of law raising issue which has already been concluded before the NGT, which is an competent forum under National Green Tribunal Act. Accordingly, this public interest litigation is



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dismissed.

(VIVEK RUSIA)
ACTING CHIEF JUSTICE

Shivani

(PRADEEP MITTAL)
JUDGE