

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CWPIL No.76 of 2022**  
**Decided on : 07.10.2026**

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Court on its own motion

...Petitioner

Versus

State of HP and Ors.

...Respondents.

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*Coram*

***Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.***

***Hon'ble Mr. Justice Bipin Chander Negi, Judge.***

*Whether approved for reporting?<sup>1</sup>*

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For the petitioner : Mr. Somesh Sharma, Advocate, for Mr. Karun Negi, Advocate, as Amicus Curiae.

For the respondent(s) : Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents/State.

Mr. Mukul Sharma and Mr. V.B. Verma, Advocates, for respondents No.2 and 5.

Mr. Amit Sharma, Advocate, for respondent No.3.

Ms. Isha Thakur, Advocate, for Mr. Umesh Kanwar, Advocate, for respondent No.6.

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**G.S. Sandhawalia, Chief Justice** (*Oral*)

The present Public Interest Litigation was registered on the basis of a newspaper cutting dated 01.11.2022, published in the daily newspaper "*The Tribune*", regarding stench

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<sup>1</sup> *Whether the reporters of the local papers may be allowed to see the Judgment? Yes*

emanating from trucks loaded with apples parked along the Pinjore–Parwanoo Section of NH-5.

**2.** Period of almost four years has elapsed since then and various developments have taken place pursuant to the directions issued by this Court from time to time. On 09.10.2023, it was directed that a mechanism be evolved to treat the apple produce that rots or is discarded, either through composting or through scientific solid waste management processes, so that the problem of littering and dumping of rotten apples does not recur within the State.

**3.** Accordingly, vide order dated 10.07.2024, directions were issued to identify designated sites for apple waste management, and the Himachal Pradesh Horticultural Produce Marketing and Processing Corporation Limited (HPMC) was called upon to state the solutions proposed for the scientific management of apple waste. A compliance affidavit was thereafter filed by the Managing Director of HPMC on 25.08.2024, whereupon this Court directed that proposals for scientific management and disposal of apple waste set out therein be implemented forthwith, as far as practicable.

**4.** A status report was placed on record on 30.09.2024 on behalf of HPMC, detailing the steps taken by the Corporation

to deal with apple pomace and apple waste, and directions were issued to the Himachal Pradesh State Pollution Control Board to liaise with the District Administration and draw up a coordinated disposal plan.

**5.** On 20.05.2025, this Court noticed that Parwanoo site lacked electrification and that auction process was restricted to three months on account of it being a seasonal activity and that wastewater could only be treated in the Common Sewage Treatment Plant of the Jal Shakti Vibhag situated at a distance of 7 km at Sector-2, Parwanoo, and that the solid waste (rotten apples) generated from the site would have to be transported to the Solid Waste Management Site at Sector-5, Municipal Council, Parwanoo.

**6.** On 25.11.2025, this Court took note that the pectin extraction unit had been made operational, which would reduce the volume of pomace generation, and directed that an affidavit be filed by the respondent-Corporation setting out how it proposed to tackle the disposal of apple waste at the site in question.

**7.** A perusal of the affidavit dated 31.12.2025 filed by the Corporation reveals that the site was notified as a temporary dumping site with designated pits. It was further placed on

record in the said affidavit that the Corporation had established a drying unit under the Market Intervention Scheme (MIS) in collaboration with M/s Aditya Solar Ltd., Jaipur.

**8.** Pursuant thereto, inspection reports were placed on record. Inspections were conducted on 24.08.2026 and 01.09.2026 by the Himachal Pradesh State Pollution Control Board, and no dumping of rotten apples or organic waste was found lying at the site, no foul odour was detected, and there was no untreated wastewater generation. Photographs in support thereof were also placed on record. It was further stated that officials would continue periodic inspections at the yard during the ongoing apple season to monitor loading, unloading, and environmental conditions. A subsequent inspection report dated 03.10.2026 submitted by the Pollution Control Board likewise indicates that loading, unloading, and sorting activities were proceeding smoothly, and that the site remained largely clear with minimal seasonal activity, and that there was no dumping of rotten apples or organic waste, nor was any foul odour detected. Photographs were also appended with the inspection report.

**9.** Keeping in view the aforesaid developments, we are of the considered opinion that the respondent-Corporation shall remain bound by the commitments made in its affidavits, and

the Himachal Pradesh State Pollution Control Board shall remain bound by its undertaking to conduct regular site inspections during the apple season to ensure that there is no indiscriminate dumping of rotten apples and that proper scientific methodology is adhered to, so as to ensure that no pollution is caused at the site along the National Highway

**10.** Accordingly, the present Public Interest Litigation is disposed of with directions to the respondent-Corporation and the respondent-Board to ensure that environmental norms are strictly complied with and that no pollution is caused at the site

**11.** Pending miscellaneous application(s), if any, also stands disposed of accordingly.

**(G.S. Sandhawalia)**  
**Chief Justice**

**(Bipin Chander Negi)**  
**Judge**

**07<sup>th</sup> October, 2026**  
(Gaurav Rawat)