



2026:DHC:4243



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6462/2025, CM APPL. 29420/2025, CM APPL. 33319/2025 and CM APPL. 39556/2025**

Date of decision: **11.05.2026****IN THE MATTER OF:-****MS PRAVEEN JAIN AND SONS**

.....Petitioner

Through: Mr. Rituraj Biswas, Mr. Murari
Kumar Singh, Mr Aayush Garg.
Advocates.

versus

DELHI POLLUTION CONTROL COMMITTEE & ORS.

.....Respondents

Through: Mr. Narender Pal Singh Advocate for
R-1.
Ms Astha Gupta, Advocate for R-2
and 3.
Mr. Vinod Singh Rana Advocate for
applicant.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****J U D G E M E N T****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petitioner, M/s Praveen Jain and Sons, is a proprietorship firm running a bakery and confectionary shop at II-55/16-17, Sadar Bazar, Delhi Cantt. Respondent No. 1 is the Delhi Pollution Control Committee (DPCC). Remaining respondents are Govt. Officials.
2. The DPCC issued a show cause notice dated 30.09.2024 to the

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petitioner proposing imposition of environmental compensation of Rs. 5,00,000/-. The petitioner submitted its reply on 20.10.2024. Thereafter, *vide* order dated 26.12.2024, the DPCC directed the petitioner to deposit the said amount, stating that the reply was not found satisfactory. Subsequently, the SDM, Delhi Cantt. issued a notice dated 22.04.2025 directing the petitioner to immediately stop operations of its shop. Aggrieved by the aforesaid order and notice, the petitioner has approached this Court under Article 226 of the Constitution of India.

3. The instant petition is for the following reliefs:-

“a) Direct the respondent No. 1 to decide pending application dated 21.10.2024 for pollution certificate as expeditiously as possible;

b) to quash and set aside order dated 26.12.2024 issued by respondent No. 1, Delhi Pollution Control Committee contained in memo bearing F.No. DPCC-M013/06/2024-CMC4 wherein respondent no 1 has directed the petitioner to deposit Rs 5,00,000/- (Five Lacs) as Environmental Compensation; and

c) and to quash and set aside notice dated 22.04.2025 issued by respondent No.2, Sub Divisional Magistrate, Delhi Cantt contained in Memo No F.No. SDM/DC/NDD/2025/2328 by which Ld. SDM has directed the petitioner herein to immediately stop the operation of the bakery shop of the petitioner; and

d) Any other relief for which this Hon’ble Court may deem fit and proper may be granted in favour of the Petitioner in view overall facts and circumstances and also in the interest of justice.”

4. The primary contention raised by the petitioner is that the impugned order dated 26.12.2024, passed by Respondent No. 1, Delhi Pollution Control Committee (DPCC) was issued without proper consideration of the petitioner's reply dated 20.10.2024. It is further argued that no opportunity of a personal hearing was afforded to the petitioner before imposing a heavy environmental compensation of Rs. 5,00,000/-, thereby violating the



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fundamental principles of natural justice.

5. For a proper adjudication of the matter, it may be appropriate to extract the relevant portion of the impugned order. The order dated 26.12.2024, passed by Respondent No. 1 i.e., DPCC records the following observations vis-à-vis the reply filed by the petitioner:

“And whereas, the addressee unit has submitted a reply dt. 20/10/2024 and informed that they have rectified all the deficiencies and requested to withdraw the above said show cause notice dated 30/09/2024. However, the reply was not found satisfactory.”

6. A bare perusal of the above extract shows that Respondent No. 1 has failed to bestow its due consideration to the reply filed by the petitioner or even lay down the reasons as to why such reply was found not satisfactory. Therefore, the impugned order shows a complete non-application of mind on the part of Respondent No. 1.

7. The Supreme Court has consistently held that the requirement of recording reasons is not a mere formality but a substantive requirement of law. In **Siemens Engg. & Mfg. Co. of India Ltd. v. Union of India**,¹ 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 pretense of compliance would not be enough.

8. Further, in **Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan**,² the Supreme Court laid down several principles regarding the necessity of reasoned orders, holding that a reasoned order is essential for the principles of natural justice. It ensures transparency and fairness in decision-making,

¹ (1976) 2 SCC 981

² (2010) 9 SCC 496



and it allows the aggrieved party to know the grounds on which the decision is based, which is crucial for availing any further remedy. The Court stated that reasons are the link between the order and the mind of the maker.

9. This Court has consistently applied these principles to actions taken by the DPCC. In *Hi-Print Corporation v. Government of NCT of Delhi & Anr.*³; *M/s India Navigation Company v. Government of NCT of Delhi & Anr.*⁴; and *Mangolpuri Industrial Area Phase 1 & 2 CETP Society v. Delhi Pollution Control Committee & Ors.*⁵ has set aside similar actions of the DPCC. In *Mangolpuri* (*supra*), the Court made the following observations:

“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. In Union of India v. Ibrahim Uddin*⁶, 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

³ Order dated 07.04.2026 in W.P.(C) 10987/2025.

⁴ Order dated 25.03.2026 in W.P.(C) 7357/2025.

⁵ Order dated 22.04.2026 in W.P.(C) 4302/2022 and W.P.(C) 6804/2022.

⁶ (2012) 8 SCC 148



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])”

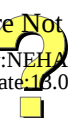
7. Therefore, the Court finds that the impugned orders have been passed in a mechanical and cryptic manner, reflecting non-application of mind. In the absence of reasons, the petitioners would be precluded from effectively seeking further remedy.”

10. The situation in the present case is no different. The petitioner’s reply, which raised several points including the small scale of its operations, the installation of an Oil and Grease Trap (OGT), a hood-suction arrangement, and the fact that it possessed valid trade and food safety licenses was dismissed with a single, unreasoned line, “However the reply was not found satisfactory.” Such an order does not satisfy a valid judicial or quasi-judicial order. The petitioner is entitled to know the grounds on which its explanation has been rejected.

11. The Court, therefore, observes that the one-line rejection approach adopted by Respondent No. 1 does not withstand the scrutiny of law. The reasons for non-satisfaction must be explicit and discernible from a perusal of the order. In the instant petition, however, no such reasons have been recorded.

12. For all the above reasons, the impugned order and notice passed in the instant petition will also have to be quashed and set aside.

13. The matter is remanded to Respondent No. 1 (DPCC) for fresh





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consideration. Liberty is granted to Respondent No. 1 to pass a fresh order after considering the reply filed by the petitioners, and after affording them a reasonable opportunity of hearing.

14. With the aforesaid observations, the instant petition, along with all pending applications, stands disposed of.

15. All rights and contentions of the parties on the merits are left open.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MAY 11, 2026
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