

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 42565 of 2025
(IN REFERENCE Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 20-11-2025

Shri Amalpushp Shroti - Amicus Curiae.

Shri Swapnil Ganguly - Deputy Advocate General and Shri Ritwik Parashar - Government Advocate for respondents/State.

Shri Harpreet Singh Gupta - Advocate through video conferencing with Shri Manan Agrawal, Shri Shubham Mishra Ms. Nancy Chaturvedi, and Shri P.S. Gupta - Advocates for Intervener.

Shri Suyash Mohan Guru - Deputy Solicitor General for Intervener - Union of India through Archeological Survey of India.

The Commissioner, Municipal Corporation Bhopal as well as the General Manager of West Central Railways are impleaded as respondents.

It is pointed out by learned Amicus Curiae that despite this Court directing no tree shall be cut or pruned except in accordance with permission granted by the 9-member Committee or the Tree Officer under the Madhya Pradesh Protection of Trees Act (Urban), 2001, further 244 trees are sought to be cut in Bhopal for construction of certain residential complexes.

Mr. Harpreet Singh Gupta, learned counsel appearing for intervener submits that newspaper report of 20th November, 2025 in Dainik Bhaskar, Bhopal shows that a novel method has been adopted for cutting the trees under the garb of shifting. The reporter has quoted the authorities, who state that it is difficult to obtain permission for cutting of the trees and as such

there is a proposal of transplanting the trees for which no permission is required. We note that this Court by order dated 04.11.2025 had directed the State to file an affidavit indicating as to whether there is any Tree Plantation Policy in force in the State to which an affidavit has been filed that there is no such Policy.

Further the photographs that had been placed on record show that the manner of transplantation was complete stripping of the tree of all its branches and leaves and planting the tree trunk at an alternate place.

Attention is also drawn to communication dated 30.10.2025 issued by the Executive Engineer, Vidhan Sabha Building Controller to the Principal Secretary, Vidhan Sabha Secretariat stating that on account of construction of the residential complex, several trees are coming in the way and they have to be shifted (uprooted) on account of which a large number of branches are being cut and huge quantity of wood is being collected and request has been made to make use of these branches and wood that have been cut from the trees which are coming in the way of the construction.

The above letter clearly shows that the respondents are not in any manner trying to protect or transplant any tree, however, in the process of cutting trees and as many as 244 trees are sought to be cut.

Clearly, it appears that respondents are not interested in protecting or transplanting any tree but are in a rampant manner cutting and destroying the entire vegetation which is coming in the way of alleged development.

Reference may also be had to a news article dated 17.11.2025 of Dainik Bhaskar, Bhopal edition which shows that as many as 8000 trees

have been cut for some project of the railways.

List on 26.11.2025 at 12:30 p.m.

In the mean time, it is directed that no tree in the entire area of Bhopal shall be cut, pruned or transplanted in any manner except with the leave of this Court.

Further we direct the personal presence of Mr. Ajay Shrivastava, Executive Engineer, PWD, (2) Under Secretary, Vidhan Sabha Secretariate (3) Administrative Officer-cum-under Secretary, Vidhan Sabha Secretariate (4) Commissioner, Municipal Corporation, Bhopal (5) Principal Chief Conservator of Forest (6) The Principal Secretary, Vidhan Sabha Secretariate, Bhopal (7) General Manager, West Central Railways for the next date of hearing.

Respondents shall also file photographs of the alleged transplanted trees on the next date of hearing.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

m/-