

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**CENTRAL ZONE BENCH, BHOPAL,**  
**ORIGINAL APPLICATION NO. 18/2026**

**IN THE MATTER OF:****M/S GANESH CONSTRUCTION CO.****APPLICANT(S)****VERSUS****SHIVLOK PHASE II JAN KALYAN SAMITI & ORS.****RESPONDENT(S)****INDEX**

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Date: 21.04.2026

Submitted by MPPCB: -

Place: Bhopal

through Counsel


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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
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**M/S GANESH CONSTRUCTION CO.**

**APPLICANT(S)**

**VERSUS**

**SHIVLOK PHASE II JAN KALYAN SAMITI & ORS.**

**RESPONDENT(S)**

**JOINT COMMITTEE REPORT IN ORIGINAL APPLICATION NO. 18/2026**  
**OF M/S GANESH CONSTRUCTION CO. V/S SHIVLOK PHASE II JAN**  
**KALYAN SAMITI & ORS.**

1. That, the Hon'ble NGT (CZ) vide order dated 02.02.2026 passed in OA 18/2026 M/s Ganesh Construction Co. V/S Shivlok Phase II Jan Kalyan Samiti & Ors issued following directions: -

*“1. The present matter relates to a residential project being developed by the Applicant known as “Ganesh Divine City” (Hereinafter referred as “project”) located at Khajuri Kalan, Bhopal. The Applicant has approached this Hon'ble Tribunal due to the continuous and illegal discharge of untreated sewage water from the adjoining colony named “Shivlok Phase-II”, located near Raisen Road, managed by the Respondent.*

*8. The Applicant's project was duly registered with RERA, on 14.10.2025. During the development of the project, it was found that untreated sewage from Shivlok Phase-II Colony (Respondent no. 1) was being allowed to be discharged on to the Applicant's land through a hole created in the common boundary wall. The sewage water has accumulated on the Applicant's land, resulting in unhygienic conditions, foul odor, contamination of soil, and serious environmental and public health hazards. The affected land has*

*become unfit for construction, causing grave inconvenience and loss to the Applicant.*

3. *It is further contended that the aforesaid illegal actions of the Respondent no. 1, directly violate the provisions under sections 24 and 25 of the Water (Prevention and Control of Pollution) Act, 1974, as untreated sewage is being discharged without a proper sewage disposal system. The said continued discharge constitutes a continuing environmental nuisance and infringes the right to a clean and healthy environment.*
4. *Learned Counsel for the applicant Mr. Harpreet Singh Gupta has taken reliance on the order issued by the Nagar Palika Nigam, Bhopal putting the condition no. 6 for provisions of STP or the septic tank and to ensure that Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 must be strictly complied with by the Project Proponent.*

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8. *We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:*
- (i) One representative from the District Collector, Bhopal (M.P.)*
  - (ii) One representative from the Member Secretary, State Pollution Control Board, (M.P.)*
  - (iii) One representative from the Municipal Commissioner, Bhopal (M.P.)*
9. *The Committee is directed to visit the site and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.”*

2. That, in compliance to the order of Hon'ble NGT dated 02.02.2026, a joint committee consisting of the following officials of the concerned department was constituted: -

S. No	Name of Department	Name of Committee Member
1.	One representative from the District Collector, Bhopal (M.P.)	Shri Bhuvan Gupta, SDM (Govindpura), Bhopal.
2.	One representative from the Member Secretary, State Pollution Control Board, (M.P.)	1. Dr. Praveen Kothari, Scientist, RO, MPPCB, Bhopal. 2. Shri Jainendra Chandel, Chemist, RO, MPPCB, Bhopal.
3.	One representative from the Municipal Commissioner, Bhopal (M.P.)	Shri Nishant Tiwari, Assistant Engineer, Bhopal Municipal Corporation.

3. That, the Committee examined the petition and the order of Hon'ble NGT, and discussed the issues raised therein for the purpose of proceeding with the inspection. The points raised by the applicant in the application are as follows:

3.1. It is alleged that Sewage water has been continuously leaking from the adjoining colony, namely Shivlok Phase II (Respondent no.1) because of a hole that has been created in the common boundary wall of the two adjoining colonies. The said hole has resulted in the discharge of sewage water into the premises of Ganesh Divine City.

3.2. It is also submitted that Municipal Corporation had earlier directed the colony to install a Sewage Treatment Plant (STP). Respondent allegedly failed to install or operate a functional STP.

#### 4. **FIELD OBSERVATIONS:**

That, a site inspection of Shivlok Phase II was carried out on 07.04.2026 by the members of Joint Committee. During the inspection, Shri Zuber

Siddique, Supervisor, BMC and Shri Kashinath, Resident of Shivlok Phase II were also present. The petitioner was contacted on his mobile number and on behalf, Shri Anil Singh, Supervisor, Ganesh Divine City, Shri Harshit Rajput, Account Manager, Ganesh Divine City, Shri Sudhir Agnihotri, Contractor, Ganesh Divine City were present during inspection. Shri Umesh Singh Keer, Chairman, Shivlok Phase II Jan Kalyan Samiti & Ors. was also contacted and he informed that he is not available for the inspection. The Photographs taken during inspection are enclosed as **Annexure-1**. The geographical locations are measured using mobile based application and duly marked on Google Earth Map. The marked imagery is enclosed as **Annexure-2**. Copy of the Panchnama prepared during the inspection is enclosed as **Annexure-3**. The visual observations recorded during inspection are as under: -

- 4.1. Shivlok Phase II, located on Village - Khajuri Kalan Road, Tehsil Huzur, District Bhopal, Madhya Pradesh. The geographical location of the site is latitude 23°14'46.68"N and longitude 77°29'22.12"E.
- 4.2. An ongoing plotting/residential development project “Ganesh Divine City” by M/s Ganesh Construction Co., comprising approximately 117 plots (as informed by the representatives), is located on the northern side of Shivlok Phase II Colony.
- 4.3. Deep Mohini Colony, Sukh Sagar Phase III, and Indra Nagri are situated adjacent to the southern side of Shivlok Phase II Colony.
- 4.4. Khajuri Kalan Road runs along the southern side of the colony, while Raisen Road is located on the northern side.
- 4.5. A nalla (drain) is passing along the northern side of Ganesh Divine City.
- 4.6. As per resident of Shivlok Phase II Colony, the colony comprises of approximately 80 houses, which are fully occupied. The colony has a main entry gate, and a temple is constructed adjacent to the main entrance.

- 4.7. No Sewage Treatment Plant (STP) was found installed in Shivlok Phase II Colony. Septic tanks were observed on the eastern side within the colony. During the inspection, the Joint Committee observed that untreated sewage water was flowing from Shivlok Phase II Colony through an underground opening created from the Shivlok side, which opens into the land of Ganesh Divine City. The opening appears to have been made by masonry (brickwork) for discharging wastewater. The sewage was seen passing through Ganesh Divine City and ultimately discharging into the nearby nalla located on the northern side of Ganesh Divine City.
- 4.8. From the visual observation, it was observed that greyish, turbid wastewater is flowing originating from the upstream side (Shivlok Phase II Colony side). The wastewater is carrying solid waste materials confirming absence of any prior treatment or screening. The flow path passes through the opening in the boundary wall, thereby allowing sewage to enter the adjoining land (Ganesh Divine City area).
- 4.9. As per the resident of Shivlok Phase II Colony, the discharge of untreated sewage is not limited to Shivlok Phase II alone but also includes sewage from adjoining colonies, namely Deep Mohini Colony, Sukh Sagar Phase III, and Indra Nagri, located to the south.
- 4.10. A hole was observed in the common boundary wall between the two colonies. As per the resident of Shivlok Phase II Colony, rainwater tends to accumulate within their colony, and the opening was created for passing of rain water.

## 5. ACTION TAKEN:

- 5.1. That, following inspection, MPPCB vide letter no. 1748 dated 10.04.2026 issued notice to the Shivlok Phase II Jan Kalyan Samiti under the provisions of the Water (Prevention and Control of Pollution) Act, 1974. The notice states that

untreated sewage/wastewater is being discharged, leading to environmental pollution and violation of statutory provisions. The Shivlok Phase II Jan Kalyan Samiti has been directed to immediately stop the discharge of untreated sewage and to ensure proper treatment and disposal of wastewater by installation and operation of a Sewage Treatment Plant (STP). A copy of the said notice has also been sent to the Bhopal Municipal Corporation (BMC) for necessary action at their end to ensure compliance and proper sewage management. A copy of the letter is enclosed as **Annexure – 4**.

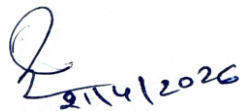
- 5.2. That, again a reminder notice has been issued to the Shivlok Phase II Jan Kalyan Samiti by MPPCB vide letter no. 1790 dated 21.04.2026 and information is sought again from the Bhopal Municipal Corporation by MPPCB vide letter no. 1791 dated 21.04.2026. A copy of the letter is enclosed as **Annexure-5 and Aneexure-6** respectively. The requisite information from the Bhopal Municipal Corporation is awaited and shall be duly submitted before the Hon'ble Tribunal upon receipt.
6. That, it is respectfully submitted that the Hon'ble Tribunal may kindly be pleased to take the present Joint Committee Report on record.



**Bhuvan Gupta**  
SDM  
(Govindpura), Bhopal



**Dr. Praveen Kothari**  
Scientist,  
RO, MPPCB, Bhopal



**Jainendra Chandel**  
Chemist, RO, MPPCB,  
Bhopal.



**Nishant Tiwari**  
Assistant Engineer,  
Bhopal Municipal  
Corporation

Inspection Photographs in OA 18/2026 (CZ) dated 07.04.2026



Untreated Sewage water flowing from Shivlok Phase II on land of Ganesh Divine City



Hole created in the sharing boundary for rainwater



Untreated water discharging into nearby nalla



Imagery of Google Earth Map in OA 18/2026 (CZ)



माननीय राष्ट्रीय हरित अधिकरण के पत्र क्र. - 18/2026 (सीजे5)  
 मैदाई गणेश कन्स्ट्रक्शन विस्वय शिवलोक फेस-II पर कानून शक्ति।  
 व अन्य के अंतर्गत पारित आदेश दिनांक-2/2/2026 द्वारा रोड पर  
 पांच एक मंजूर किया गया। जिसके द्वारा दिनांक 7/4/2026 को  
 स्थल निरीक्षण किया गया। निरीक्षण दौरान कलेक्टर (उमरगोपाल)  
 के प्रतिनिधि श्री भुवन गुप्ता (एच.डी.ए. गौरीगुप्त) जे.डी. प्रमुख जी.के.  
 के प्रतिनिधि डॉ. उकीण कोठारी (कै.नि.वि.), श्री जॉन ड्रयनेक (रक्षापत्र),  
 सु. प्रकाश विवरी (अ.वि.सी.), मै. गणेश कन्स्ट्रक्शन के प्रतिनिधि मणिक सिं.,  
 श्री हर्षित रायपुत्र, श्री गोकुल पारिक एवं शिवलोक फेस-II के बहानी श्री काशीनाथ  
 (नं. 48) उपस्थित थे; निरीक्षण दौरान गणेश डिवलोक सिटी को. ऑफ. प्रोपर्टी स्थल  
 पर शिवलोक फेस-II के कर्मचारी के बिना इतिहास-पत्र मल (अनुप्रासि)  
 को बंधा हुआ निकटवर्ती नाले में बहा पाया गया। शिवलोक फेस-II के बहानी  
 श्री काशीनाथ के द्वारा पाकघर की गंधी के अंतर्गत शिवलोक फेस-II, बंटीगमरी  
 सुखशागर, शिव दीप मोदनी कार्पोरेशन से उपलब्ध होता है एवं इन्टरकनेक्ट  
 नीचे मासिक के माध्यम से यहाँ बह रहा है। पंचनाम पर पत्र शिवलोक  
 को बंधा शक्ति को सुनाया गया।

*[Signature]*  
 B.M.C.  
 SDM  
 7/4  
 7/4/26

*[Signature]*  
 Gokul Patel  
 12/9/2024

*[Signature]*  
 Anwar Rasooli  
 07/04

*[Signature]*  
 Anil Singh  
 Ganesha Corp.

*[Signature]*  
 Harshit Rajput  
 Ajeetha Nagar  
 Ganesha Nagar  
 Co. Ganesha Divine  
 City, Shapur

7/4/26  
 Kashmiri



क्षेत्रीय कार्यालय

मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड



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क्रमांक 1748/क्षेका/प्रनिबो/2026  
प्रति,

भोपाल, दिनांक 10/04/2026

अध्यक्ष,  
शिवलोक फेज-II जन कल्याण समिति,  
खजूरीकलां, पिपलानी,  
भोपाल (म.प्र.)-462022

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल बेंच के प्रकरण क्र. 18/2026 (सीजेड) मेसर्स गणेश कंस्ट्रक्शन कंपनी विरुद्ध शिवलोक फेज-II जन कल्याण समिति व अन्य में पारित आदेश दिनांक 02.02.2026 के संबंध में।

संदर्भ:- गठित संयुक्त दल द्वारा स्थल निरीक्षण दिनांक 07.04.2026।

कृपया उपरोक्त विषय के संदर्भ में अवगत कराया जाता है कि माननीय राष्ट्रीय हरित अधिकरण द्वारा प्रकरण क्रमांक 18/2026 (सीजेड) में दिनांक 02.02.2026 को पारित आदेश के अनुपालन में एक संयुक्त निरीक्षण दल का गठन किया गया था। उक्त संयुक्त दल द्वारा दिनांक 07.04.2026 को खजूरीकलां क्षेत्र स्थित शिवलोक फेज-II एवं गणेश डिवाइन सिटी परियोजना स्थल का निरीक्षण किया गया। निरीक्षण के दौरान यह पाया गया कि शिवलोक फेज-II कॉलोनी से उत्पन्न अनुपचारित सीवेज/दूषित जल-मल को गणेश डिवाइन सिटी प्लॉटिंग प्रोजेक्ट की बाउंड्री वॉल के समीप से निकटवर्ती नाले में प्रत्यक्ष रूप से निस्सरण किया जा रहा है। यह कृत्य जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों का स्पष्ट उल्लंघन है।

अतः आपको निर्देशित किया जाता है कि उक्त अनुपचारित सीवेज/दूषित जल-मल के निस्सरण को तत्काल प्रभाव से बंद करना सुनिश्चित करें। साथ ही, उत्पन्न सीवेज के समुचित उपचार हेतु आवश्यक क्षमता का सीवेज ट्रीटमेंट प्लांट (STP) स्थापित कर उसका नियमित संचालन सुनिश्चित किया जाए एवं उपचारित दूषित जल को वृक्षारोपण/गाडनिंग में प्रयोग किया जाये। इस पत्र की प्राप्ति के 07 (सात) दिवस के भीतर की गई अनुपालनात्मक कार्यवाही प्रतिवेदन एवं लिखित स्पष्टीकरण प्रस्तुत करें अन्यथा समिति के संबंधित व्यक्तियों के विरुद्ध जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों के अंतर्गत कार्यवाही की जा सकती है, जिसकी समस्त जिम्मेदारी आपकी होगी।

(एस.एन.द्विवेदी)  
क्षेत्रीय अधिकारी

पृ. क्रमांक 1749/क्षेका/प्रनिबो/2026  
प्रतिलिपि :-

भोपाल, दिनांक

10/04/2026

आयुक्त, नगर निगम, भोपाल की ओर माननीय अधिकरण द्वारा पारित आदेश की प्रति संलग्न करते हुए अनुरोध है कि अनुपचारित सीवेज/दूषित जल-मल के निस्सरण को बंद करना सुनिश्चित करने का निवेदन है।



क्षेत्रीय कार्यालय  
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क्रमांक 1790 /क्षेका/प्रनिबो/2026 भोपाल, दिनांक 21/04 /2026  
प्रति,

अध्यक्ष,  
शिवलोक फेज-II जन कल्याण समिति,  
खजूरीकलां, पिपलानी,  
भोपाल (म.प्र.)-462022

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल बेंच के प्रकरण क्र. 18/2026 (सीजेड) मेसर्स गणेश कंस्ट्रक्शन कंपनी विरुद्ध शिवलोक फेज-II जन कल्याण समिति व अन्य में पारित आदेश दिनांक 02.02.2026 के संबंध में।


संदर्भ:- इस कार्यालय का पत्र क्रमांक 1748, भोपाल दिनांक 10.04.2026।

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उपरोक्त संदर्भित पत्र के माध्यम से आपको अवगत कराया गया था कि खजूरीकलां क्षेत्र स्थित शिवलोक फेज-II एवं गणेश डिवाइज सिटी परियोजना स्थल का निरीक्षण के दौरान अनुपचारित सीवेज/दूषित जल-मल का निस्सरण निकटवर्ती नाले में किया जाना पाया गया है, जो कि जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों का स्पष्ट उल्लंघन है।

अतः संदर्भित पत्र के माध्यम से आवश्यक कार्यवाही करते हुए उक्त निस्सरण को तत्काल बंद करने एवं सीवेज ट्रीटमेंट प्लांट (STP) की स्थापना/संचालन सुनिश्चित करने हेतु निर्देशित किया गया था। इस संबंध में कार्यवाही प्रतिवेदन आज दिनांक तक अप्राप्त है। अतः पुनः निर्देशित है कि उक्त विषय में तत्काल आवश्यक कार्यवाही सुनिश्चित करते हुए प्रतिवेदन यथाशीघ्र इस कार्यालय को 03 (तीन) दिवस के भीतर उपलब्ध कराना सुनिश्चित करें। अन्यथा समिति के संबंधित व्यक्तियों के विरुद्ध जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों के अंतर्गत कार्यवाही की जा सकती है, जिसकी समस्त जिम्मेदारी आपकी होगी।

संलग्न:-उपरोक्तानुसार।

  
(एस.एन.द्विवेदी)  
क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय  
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड  
पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल



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क्रमांक 1791 / क्षेत्रा / प्रनिबो / 2026 भोपाल, दिनांक 21/04 / 2026  
प्रति,

आयुक्त,  
नगर पालिक निगम,  
कुशाभाऊ ठाकरे,  
आई.एस.बी.टी. कैम्पस,  
भोपाल, (म.प्र.)।

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल बेंच के प्रकरण क्र. 18/2026 (सीजेड) मेसर्स गणेश कंस्ट्रक्शन कंपनी विरुद्ध शिवलोक फेज-II जन कल्याण समिति व अन्य में पारित आदेश दिनांक 02.02.2026 के संबंध में।


संदर्भ:- इस कार्यालय का पत्र क्रमांक 1749, भोपाल दिनांक 10.04.2026।

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उपरोक्त संदर्भित पत्र के माध्यम से आपको अवगत कराया गया था कि खजूरीकला क्षेत्र स्थित शिवलोक फेज-II एवं गणेश डिवाइन सिटी परियोजना स्थल का निरीक्षण के दौरान अनुपचारित सीवेज/दूषित जल-मल का निस्सरण निकटवर्ती नाले में किया जाना पाया गया है, जो कि जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 के प्रावधानों का स्पष्ट उल्लंघन है।

अतः संदर्भित पत्र के माध्यम से आपसे अनुरोध किया गया था कि आवश्यक कार्यवाही करते हुए उक्त निस्सरण को तत्काल बंद कराया जाना सुनिश्चित करें। इस संबंध में कार्यवाही प्रतिवेदन आज दिनांक तक अप्राप्त है। कृपया आपसे पुनः अनुरोध है कि उक्त विषय में तत्काल आवश्यक कार्यवाही सुनिश्चित करते हुए प्रतिवेदन शीघ्रातिशीघ्र इस कार्यालय को उपलब्ध कराना सुनिश्चित करें।

संलग्न:-उपरोक्तानुसार।

  
(एस.एन.द्विवेदी)  
क्षेत्रीय अधिकारी

## VAKALATNAMA

[Rule 4(1) of the Rules framed under Advocates Act, 1961]


**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**CENTRAL ZONEL BENCH, BHOPAL**  
**ORIGINAL APPLICATION 18/2026**

**IN THE MATTER OF:****M/s Ganesh Construction Co.****Applicant(s)****Vs.****Shivlok Phase II Jan Kalyan Samiti & Ors.****Respondent(s)**



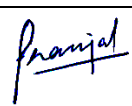
I Shrinivas Dwivedi , Regional Officer Bhopal , MPPCB named below do hereby appoint, engage, and authorize advocate(s) named below to appear, act and plead as aforesaid case proceedings which shall include application for restoration, setting aside of ex- party orders, corrections, modifications, review and recall of orders passed in these proceedings, in this court or any other court in which the same may be tried/ heard/proceeded and also in appellate. Revisional and executing court in respect of proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/them to sign and file pleadings, appeals, cross objections, applications, affidavit or other documents as may be deemed necessary for the proper prosecution/defence of the case in all its stages and also agree to ratify and confirm act done by him/them as if done by me.

In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this **21.04.2026 at Bhopal.**

## PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA

Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature
<b>Shrinivas Dwivedi, Regional Officer Bhopal , MPPCB</b>	E5, Arera Colony Paryawaran Parisar Regional Office MPPCB Bhopal - 462016	9827210458 romppcb_bpl@rediff.com	Officer-in-Charge	 S.N. Dwivedi Regional Officer M.P. Pollution Control Board Bhopal

Accepted

Name & Enrollment No.	Office Address	E-Mail Add.	Telephone	Full Signature
PARUL BHADORIA 1587-2012	Paryawaran Parisar, E-5 Arera Colony, Bhopal, 462016	parul.bhadoria04@gmail.com legalcell.pcb@mp.gov.in	8085977111	
MOHIT BUCH 1305/2017		legalcell.pcb@mp.gov.in	9685034578	
PRANJAL PANDEY MP 2881-2021		advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023		advshivamdwivedi20@gmail.com	8878471359	