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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4566/2025**

SUNIL KUMAR SHARMAPetitioner

Through: Petitioner in person.

versus

GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Shiven Varma, Advocate for R1 &
R4 (SDM, Kotwali, GNCTD).

Mr. Shreesh Pathak, Advocate for Ms.
Sangeeta Bharti, Standing Counsel for
DJB/R-3.

Mr. Manu Chaturvedi, Standing
Counsel for MCD

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **09.04.2025**

1. Issue notice to the respondents, returnable on 30.07.2025.
2. On behalf of respondent nos. 1 and 4, Mr. Shiven Varma has put in appearance and accepts notice whereas Mr. Chaturvedi has put in appearance and accepts notice. on behalf of respondent no.2. Mr. Shreesh Pathak appears and accepts notice on behalf of respondent no.3/DJB.
3. Having regard to the nature of issue raised in this petition, we direct that the Delhi Pollution Control Committee be impleaded as party-respondent no.6. The petitioner, who appears in person, shall file an amended memo of parties within ten days from today.
4. This petition raises concerns about inaction on the part of the respondents so far as removal of illegal and unauthorised submersible pumps/borewells in property bearing no.7882/1, known as Suraj Narain Mansion, Goenka Road, Roshanara Road, New Delhi-110007 and



accordingly, a prayer has been made to issue directions to the respondents to remove such submersible pumps/ borewells.

5. Accordingly, having regard to the averments made on account of such unauthorized and illegal activities, we direct that a survey of the said building shall be conducted by the team comprising of higher ranking officer to be nominated by the Commissioner, MCD, another higher rank officer to be nominated by the Sub Divisional Officer concerned, a member to be nominated by the Chief Executive Officer of Delhi Jal Board (DJB) and the SHO of the Police Station concerned.

6. The members of the said committee shall conduct a joint survey within ten days from today and prepare a report which shall be filed before the Court on the next date of listing. We further direct that in case, any illegal borewells or submersible pumps are found functioning, appropriate action under the law shall be taken by the competent authority.

7. We also direct that, while conducting the survey, it shall also be ascertained as to whether any submersible pumps/borewells which are now not functioning had functioned in the past and if yes, since when. The inspection report should clearly state the aforesaid facts, based on which, the Court may consider imposing compensatory costs for causing damage to the public property.

8. The report of the committee shall be filed on an affidavit to be sworn in by some responsible officer of DJB/MCD.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

APRIL 9, 2025/kct