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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8489/2024 and CM APPLs. 34941/2024, 63347/2024 & 12263/2025**

KRISHAN KUMAR & ORS.

.....Petitioners

Through: Ms Apoorva Pandey & Mr. Anand Varma, Advs. (M:9717252603)

versus

DELHI JAL BOARD & ORS.

.....Respondents

Through: Mr. Raghendra Upadhyay, SPC, GNCTD (9818720615)

Ms. Puja S Kalra, Standing Counsel with Mr. Virendra Singh, Adv. for MCD. (M: 9312839323)

Mrs. Avnish Ahlawat, SC, GNCTD with Mr. Nitesh Kumar Singh, Ms. Aliza Alam & Mr. Mohnish Sehrawat, Advs.

Mr. Manish Srivastava, Mr. M. Arora & Mr. Santosh R, Advs. for Tata Power

Ms. Sangeeta Bharti, SC, DJB with Mr. Hilal Haider, Adv.

Mr. Bhanu Pratap, Asst. Engineer, MCD

Mr. Puneet Dudeja, Exec. Engineer, Civil Division IX, Irrigation & Flood Control Deptt.

Mr. Rakesh Kumar Sharma, Asst. Engineer, PWD, Delhi. (9873528224)

Mr. Kuldeep Kumar Singh, Representative of Kaluwala Construction Pvt. Ltd.



CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MANMEET PRITAM SINGH ARORA

ORDER
% 06.11.2025

1. This hearing has been done through hybrid mode.
2. The present writ petition relates to flooding, water logging and drainage issues in the Mundka village area on account of torrential rains. On the last date of hearing *i.e.*, 26th September 2025, it was noticed that there were various deficiencies in the construction of the drain in Mundka village area. The Public Works Department (hereinafter, 'PWD') had filed a report on the said date which had shown that the work was not satisfactorily carried out. The Court had made following observations on the last date of hearing:

"5. The above table would make it evident that the work in the last one month has been quite slow. However, Mr. R.K. Sharma, Assistant Engineer, PWD who is present in Court, submits that due to the rainy season in the last one month, the work could not be progressed at a good pace. However, presently the work is progressing at good pace.

6. The Court has also perused the photographs, which have been placed on record by the PWD. Some of them are extracted below, which show that the debris around the drain is not being cleared by the Contractor in a timely manner. Moreover, no shields/covering are being used to ensure that no untoward incident takes place involving vehicles that are plying.

7. There is a large-scale movement of the traffic in the Mundka area as is evident from the above photographs. Accordingly, it is made clear that the area surrounding the drain has to be cleared and maintained on a daily basis so as to ensure that the local residents and the traffic is not adversely impacted. Mr. Kuldeep Kumar Singh, representative of the Contractor, who is present



in Court, has also been cautioned that if any untoward incident takes place due to large scale debris, which is lying in the area, the Contractor shall be held personally responsible in this matter. Some sort of tin shielding or other method needs to be employed to ensure that the drain under construction as also the debris (Malba) do not impede the vehicular movement in the area”

3. Bearing in mind the facts as recorded in the above paragraphs, a further status report was directed to be filed by the PWD. In addition, Mr. Puneet Dudeja, the Executive Engineer, Civil Division-IX, Irrigation and Flood Control Department (hereinafter, ‘I&FCD’) was also directed to file an affidavit in the following terms:

*“9. Mr. Puneet, Executive Engineer from Irrigation and Flood Control Department has joined virtually and he submits that earlier, the work was in a different division and now the work has been handed over to his division. Mr. Puneet further submits that on the next date, he shall be physically present in Court along with an affidavit. **The said affidavit shall give a plan as to the manner in which levelling of the road and houses would be done in such a manner so that water from the road does not flow in the houses.***

*10. Mr. Puneet, Executive Engineer shall also inspect the area along with the Delhi Jal Board (hereinafter, ‘DJB’) and Municipal Corporation of Delhi (hereinafter, ‘MCD’) as also PWD **to place on record the status of sewage system in the Mundka area as well.**”*

4. Today, in compliance with the above directions, one affidavit of Mr. Puneet Dudeja dated 6th November, 2025 has been filed along with a status report by the PWD. The same are taken on record. The affidavit of I&FCD filed by Mr. Puneet Dudeja records as under.



“I. The road in question is being constructed against the work named "Construction of North side phirni road including Cremation ground road at Village Mundka in Mundka AC-08 in Distt. West" which was awarded to the agency M/s Kavinder Veer Singh having its stipulated dated of Start and Completion as 07.09.2023 and 04.03.2024 respectively. It is submitted that the overall progress of the work is presently 70%.

II. It is submitted that the left over portion of the road which is in question is approximately around 570 mtr. in length, out of which about 50% laying has been done (photograph enclosed) and the balance portion of the road will be constructed in 15 days.

III. It is further submitted that the local residents of the area has also written a letter to the undersigned showing their feeling of gratitude by saying that the work running by I&FC Department will solve the problem of water logging by taking the drainage into the drains of Mundka-Karala Road (letter enclosed).”

5. The Court has perused the photographs filed along with this affidavit which shows that the work of laying of the road work has been carried out though only 70% of the work is stated to have been finished. Mr. Puneet Dudeja has assured the Court that in the next 15 days, the remaining 30 % of the work would be completed.

6. The report filed by the PWD shows that insofar as the drain on the main road is concerned, the completion which has been recorded is as under:

Status as on 25th December 2025	Status as on 4th November, 2025
<i>Total Earth/work completed in length:- 10325 metre (approx.)</i>	<i>Total Earth/work completed in length:- 11660 metre (approx.)</i>



<i>Total Wall completed in length:- 9610 metre (approx.)</i>	<i>Total Wall completed in length:- 11210 metre (approx.)</i>
<i>Total Slab completed in length:- 8040 metre (approx.)</i>	<i>Total Slab completed in length:- 10700 metre (approx.)</i>

7. The Court has perused the said status report along with the photographs which shows that the work is being carried out at a decent pace. Mr. Kuldeep Kumar Singh, representative of Kaluwala Construction Pvt. Ltd., i.e., the contractor, is present in Court and submits that by the end of February, 2026 the entire work would be completed. One of the issues raised by him is that there are certain hindrances in the construction of the drain due to certain utilities which are passing through the area.

8. It is made clear that any utilities whose lines may be lying in the said area which would stop the construction of the drain shall cooperate to move the same so that the drain can get constructed in a speedy manner to avoid waterlogging in the Mundka village area.

9. The agencies who are stated to be having certain utilities in the Mundka village area obstructing the construction of the drain are as under:

- Tata Power Distribution Limited (hereinafter, 'TPDL');
- Bombay Suburban Electric Supply (hereinafter, 'BSES');
- Indraprastha Gas Limited (hereinafter, 'IGL'); and
- Delhi Metro Rail Corporation (hereinafter, 'DMRC').

The concerned officials of the said agencies shall cooperate with the contractor to enable expeditious construction of the drain.

10. In addition, Id. Counsel for the Petitioner has pointed out that the Delhi Jal Board (hereinafter, 'DJB') had filed the status report on 6th September,



2024 wherein the DJB had stated as under:

“2. It is further submitted that the sewerage network of Mundka Village already stands commissioned and the discharge of Mundka Village is already being pumped to Nilothi STP for treatment through temporary trolley installed at Ranhola Village for the last 5-6 years i.e. 2018. Therefore, it is not correct to say that the sewerage system of Mundka Village is not commissioned. Moreover, the work of construction of 5.5 MGD Lift Station at Ranhola Village is complete and likely to be commissioned soon after the electric connection is provided by BSES, which has already been applied for. This temporary arrangement shall be discontinued once the Lift Station is commissioner. The sewer line in Mundka village has been successfully commissioned, enabling residents to access sanitary sewerage facilities. Notably, the non commissioning of the 5.5 MGD Lift Station at Ranhola Village has not hindered the functionality of the sewer line in Mundka Village.

3. The Mundka Industrial area is a small portion on the other side of the Rohtak Road where sewer line has already been laid in 2015 but the same could not be commissioned as sewer line has to be crossed at two locations on Main Rohtak Road. The various hindrances such as presence of Multiple Utilities like Electricity cables, Water pipelines, Gas lines, metro pillar foundations etc. made it quite challenging & intricate. The respondent has made several efforts for commissioning of the sewage network of Mundka Industrial Area.

The tenders for the work of crossing of Rohtak Road were invited several times but could not be materialised due to non response/poor response due to complicated site conditions.

However, the work of "crossing of Rohtak Road /NH-10 by 450 mm dia HDPE pipe Sewer line through HDD method by trenchless technology opposite/near Metro



pillar No-496 and 548 for connecting Mundka industrial area to Mundka Village in AC-08 Mundka Assembly Constituency Delhi", has been awarded on dated 07.11.2023 but the same could not be started as the work is quite deep and intricate, due to various hindrances like existing of 220Kv HT Cable, PM Hotline, IGL Line and other important utilities which requires careful planning and execution to ensure accuracy and safety with cooperation of various agencies. Accordingly, the work is likely to be carried out after the monsoon”

11. A perusal of the above would show that construction of the sewer line by the DJB has faced several impediments. Though the sewer line has been laid in the year 2015, the commissioning of the same has not taken place due to the hindrances of multiple utilities. It has been 10 years since the sewer line has been laid and the same has not been commissioned. Obviously, this would lead to waterlogging during rainy days and not having a sewer line and storm water drain, which the Court is now monitoring, has caused sufficient difficulty to the residents of the local area.

12. The officials from I&FCD and PWD who are present in Court, have categorically informed the Court that Mundka, being a low-lying area, whenever there are rains, there is severe waterlogging due to water flow from the other neighbouring areas.

13. Under such circumstances, the construction of the sewer line and the storm water drain is of immense importance. The I&FCD was to hold a meeting with the DJB and the Municipal Corporation of Delhi (hereinafter, ‘MCD’) in terms of the directions given on the last date of hearing *i.e.*, 26th September, 2025. However, that meeting has not taken place for whatever reasons.



14. Ms. Sangeeta Bharti, Id. Standing Counsel for the DJB and Ms. Puja Kalra, Id. Standing Counsel for the MCD have been requested to enable the said meeting to take place with Mr. Puneet Dudeja. The responsibility of holding such a meeting shall be of Mr. Puneet Dudeja, who shall inspect the area and list out whatever impediments are there in the commissioning of the sewer line as also in the arterial roads as to what steps can be taken to avoid waterlogging. Let the inspection take place of the entire area and a report be filed by the next date of hearing by Mr. Puneet Dudeja.

15. Mr. Manish Srivastava, Id. Counsel, who is present in Court is requested to accept notice in this matter on behalf of TPD. He shall take instructions and enable the officers to coordinate with Mr. Puneet Dudeja from the I&FCD so as to enable implementation and the direction of the Court's order.

16. Mrs. Avnish Ahlawat, Id. Standing Counsel, GNCTD, who is present in Court, is also requested to accept notice in this matter on behalf of Delhi Transco Ltd. She shall take instructions in the matter.

17. Accordingly, in terms of the directions given above, status reports shall be filed in respect of the following by the next date of hearing:

(i) A report shall be filed by the contractor *i.e.*, M/s Kavinder Veer Singh in respect of the construction of the road on the North side of the phirni Road including cremation ground road at village Mundka in Mundka AC-08 in District- West.

(ii) A report shall be filed by the PWD in respect of the construction of the storm water drain on Rohtak Road (NH-10) from Kirari Suleman Drain near Nangloi Railway Station to Hiran Kudna Drain (both sides) from Metro Pillar No.428 to 626 (Package-2) and from



Tikri Border to Hiran Kudna Drain (both sides) from Metro Pillar No. 753 to 626 (Package-3) under PWD Division WR-2.

(iii) A report shall be filed by the DJB in respect of the commissioning of sewer lines and who are the agencies involved whose utilities may have to be removed.

(iv) A report shall be filed by the I&FCD in respect of the assessment of water logging in the arterial roads in the said area due to the level of the road, the level of the establishments and the residences.

On the next date of hearing, directions in this regard shall be passed by the Court.

18. The Chief Engineer, DR Project-1, DJB, shall join the proceedings virtually on the next date of hearing.

19. The concerned officials present today shall remain physically present in the Court on the next date of hearing.

20. List on 19th December, 2025.

PRATHIBA M. SINGH, J

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 6, 2025

yjh/kk/ck