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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: Mr. Anand Varma & Ms. Apoorva Pandey, Advs. (9560490287).

versus

DELHI JAL BOARD & ORS.

.....Respondents

Through: Mr Tushar Sannu, Ms Rajabala, Mr Vaibhav Tripathi, Ms Payal Rajput, Mr Praveen BansalDJB sanjay kumar EE, Ramesh Yadav AE, Sanjeev Vashisht EE, Sunil Kumar AE.

Ms Puja S Kalra, Standing Counsel with Virendra Singh, Advocate, MCD (9312839323)

Mr. Manish Srivastava, Mr. Moksh Arora and Mr. Santosh Ramdurg, Advs. for TPDDL (7982486879)

Mrs. Avnish Ahlawat SC DTL, Mr Nitesh Kumar Singh, Ms. Aliza Alam, Mr. Mohnish Sehwat, Mr. Uday Singh Ahlawat, Ms. Tania Ahlawat, Advs.

Mr. Bhagvan Swaroop Shukla, CGSC with Mr. D. Tripathi, Adv.

Mr. Raghvendra Upadhyay (Panel Counsel for GNCTD) alongwith Mr. Puneet Dudeja, Ex. Engineer - IFCD(9958890109), Mr. Rohtash Kadwala, AE-IFCD(9540028599), Mr. Madhur Ujjwal Singh, AE - PWD(8984015072), Mr. Vikas Deshwal, JE-PWD(9729167008) and Mr. Kuldeep, Contractor-PWD(987352822)



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

ORDER
% **30.06.2026**

1. This hearing has been done through hybrid mode.

Construction of North Side Phirni Road and Drain

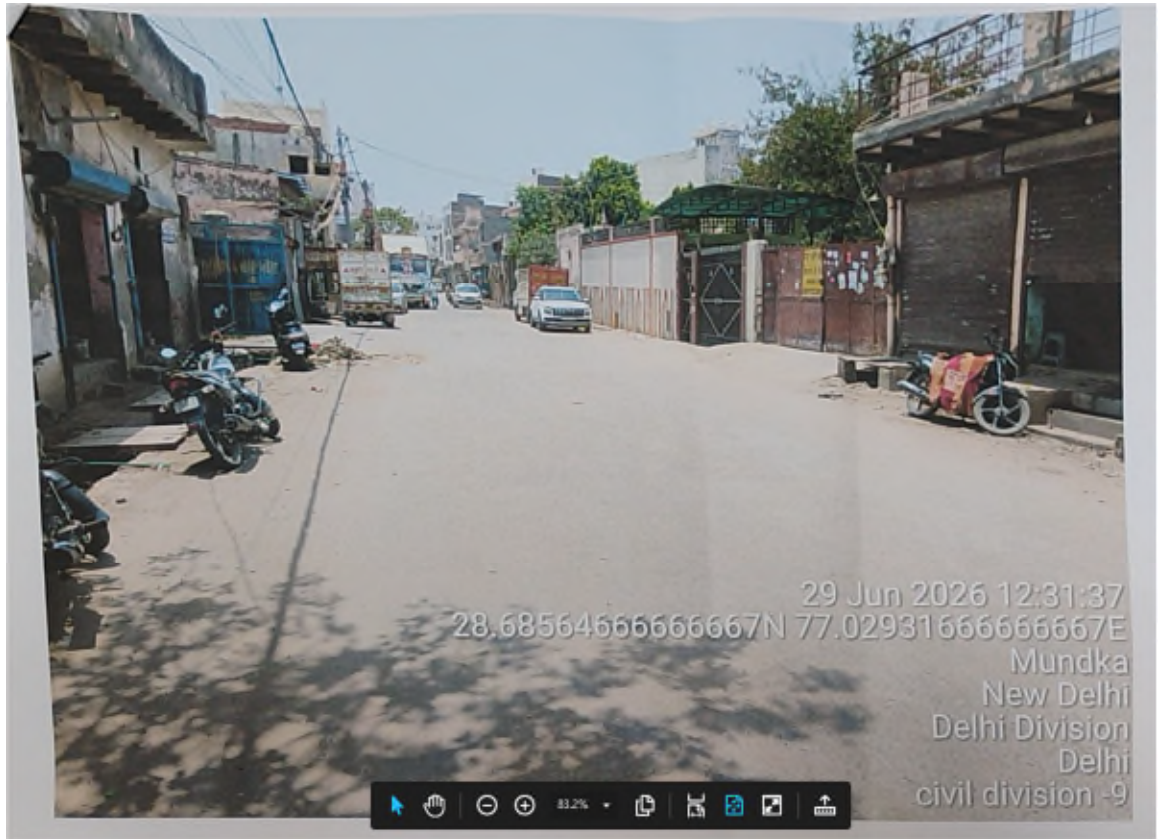
2. Today, a letter issued to the Id. Counsel for the Government of National Capital Territory of Delhi (hereinafter, 'GNCTD') by Mr. Puneet Dudeja, Executive Engineer, Civil Division No.IX, Irrigation and Flood Control Department (hereinafter, 'I&FCD') has been placed on record. The relevant portion of the said letter reads as under:

“1. The road in question is being constructed under the work titled “Construction of North Side Phirni Road including Cremation Ground Road at Village Mundka in Mundka AC-08 in District West.” It is submitted that the road work in the said area is completed”

3. Certain photographs have been attached with the said letter which are set out below:







4. It is submitted by Id. Counsel for the Petitioners that there is no clarity as to who has to maintain the sewage pipes and storm water drains and there is some co-ordination that may be required between Delhi Jal Board (hereinafter, 'DJB') and Municipal Corporation of Delhi (hereinafter, 'MCD').

5. Ms. Kalra, Id. Counsel for the MCD has pointed out that in para 3 of the status report dated 27th June, 2026, it is submitted as under:

"3. That around 16.5 metric tones of silt has been removed from the drain to maintain the free flow of the waste water/rain water. The storm drain remains dry in lean season, but the present drain is filled with sewage silt. It is the mandate of DJB as per section 9 & 10 of Delhi Water Board Act to manage sewage drains. The DJB should plug the discharge points of sewage carrying points into this storm water drain. The storm



drain is exclusively meant for carrying rain water during rainy season, however, at present sewage water is also flowing through this storm water drain. MCD is carrying out desilting and maintaining free flow of the water through the drain to avoid any water logging. Desilting is a continuous process and is being carried out in the said area.”

6. As per the above, it appears that storm water drains needs to be dry in lean season and the DJB requires to plug discharge points of the sewage into the storm water drain. Thus, clearly, the MCD and DJB need to co-ordinate to see how to plug the discharge points of sewage and to keep the storm water drain clean so that there is no waterlogging during the rainy season.

7. The stand of the DJB as per minutes of the meeting dated 27th May, 2026 reads as under:

“4. Laying of Sewer/Water Line:

It was submitted that household wastewater and sewage are presently being discharged into the storm water drain, due to which the drain remains fully filled with water. DJB was requested to take necessary measures to stop/cap the discharge of sewage into the storm water drain along Mundka Firni Road. Further, the laying of sewer line in the identified clear stretch is likely to be completed by 15.08.2026 and the balance stretch through trenchless technology is expected to be completed by 30.09.2026. Thereafter, testing, interconnection and commissioning shall be completed by 31.10.2026, subject to site conditions, coordination with the concerned utility agencies, and weather conditions remaining conducive for uninterrupted execution and requested to expedite the household connection with sewerage system.

(Action: DJB)”



8. In terms of the above minutes, the DJB has handed over a status report today stating that the work for laying down the 132 meters of sewage pipeline has already commenced in the Mundka area. The timelines given as per minutes of the meeting dated 27th May, 2026 are 15th August, 2026 and 30th September, 2026. The timeline for commissioning the same is 31st October, 2026. Accordingly, let the DJB continue to carry out this work on an expeditious basis and file an updated status report by the next date of hearing.

9. Insofar as the issue of open drains, as reflected in the images above, is concerned, Mr. Puneet Dudeja, Executive Engineer, I&FCD has joined the proceedings virtually and submits that the open drain would be covered with proper stone slabs so that drains are not visible to the naked eyes and other issues or accidents do not take place. He seeks one week's time to finish the same.

10. Accordingly, let the covering of drains with stone slab or any other method be also completed by the next date of hearing and a status report be filed.

11. Once the stone slabs are put on the drain, the responsibility of ensuring that the stone slabs are not removed by any local resident, would be of the local residents or the concerned Residents Welfare Association.

12. One of the office bearers of the concerned Residents Welfare Association shall join the proceedings on the next date of hearing. Ld. Counsel for the Petitioners to intimate the concerned Residents Welfare Association of the same.

Drain work on Rohtak Road (NH-10)

13. Insofar as the drain work of Rohtak Road is concerned, a status report



has been handed over on behalf of the PWD. The same reads as under:

“Updated progress report of drain work on Rohtak Road (NH-10) from Kirari Suleman Drain near Nangloi Railway Metro 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.

<i>Work description</i>	<i>Status as on</i> <i>29.06.2026</i>
<i>Total Earth/work completed in length</i>	<i>17350 metre</i> <i>(Approx.)</i>
<i>Total wall completed in length</i>	<i>17280 metre</i> <i>(Approx.)</i>
<i>Total Slab completed in length</i>	<i>17050 metre</i> <i>(Approx.)</i>

1. All the outfalls of the newly constructed drain have been connected with the IFCD drain, thereby ensuring proper discharge.

2. As on 30.06.2026, approximately 99% of the drain construction work has been completed. Only about 150-200 metres (approximately 1%) of drain construction remains, which is expected to be completed within the next 5-10 days, subject to favourable weather conditions.

3. The remaining ancillary works, including cleaning of the drain, dressing of side slopes, installation of drain covers and other miscellaneous finishing works, are expected to be completed within 15-20 days, subject to rainfall and weather conditions.”

14. Insofar as the above drain is concerned, most of the construction work is stated to be completed. Let the remaining 1% of the work be also completed within the next two weeks.

15. The cleaning of the said drain, dressing of the side slopes, installation



of drain covers etc. be also completed within next two weeks, considering that the monsoon is almost on the verge of hitting Delhi.

16. Mr. Kuldeep *i.e.*, the contractor, who is present in Court assures that the drain would be fully functional in the present monsoon itself. The status report of the PWD also states that there is a substantial amount of payment pending to the said contractor.

17. Let the payment to the contractor be also expedited. Chief Secretary, GNCTD shall ensure that adequate funds are released so that payment of the contractor towards verified bills is released immediately.

18. A copy of this order be communicated to the office of the Chief Secretary, GNCTD by the Registry for necessary information and compliance.

19. List on 24th July, 2026.

PRATHIBA M. SINGH, J.

MANMEET PRITAM SINGH ARORA, J.

JUNE 30, 2026/dk/ck