



2025:DHC:6215-DB

\$~1(SDB) to 9(SDB)

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

+ **W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188-42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024**

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA & ORS.

..... Respondents

Through:

Mr. Manish Mohan, CGSC with Mr. Jatin Teotia, Mr. Samarth Talesara, Advocates for UOI.

Ms. Prabhsahay Kaur, Standing Counsel with Ms. Deessksha L. Kakar, Ms. Ananya Sahu and Mr. Rashneet Singh, Mr. Shivansh Sharma, Advs for DDA with Mr. Gaurav Meena, AE & Mr. Mr. Vishwajeet Gahlot (AD, Housing), DDA

Mr. Ajjay Aroraa, Mr. Kapil Dutta and Mr. Nitish Dubey, Advocates

Mr. Ali Qambar Zaidi, Mr. Manik Gupta, Advs. in **CM No.42189/2024**

Mr. Tushar Sannu, ASC for NDMC.

Ms. Monika Arora, Mr. Subhrodeep Saha, Ms. Radhika, Advs. for MCD

Ms. Puja S Kalra with Mr. Virendra Singh, Advocates with Mr. S. C. Yadav, S.E., B.K. Sah, E.E. & Sanjiv Mudgal, E.E. MCD

Ms. Preeti Sirohi & Mr. Sudhanshu Tiwari, Advs. in **CM APPL.62545/2024**

Ms.Priyam Mehta, Advocate in **CM No.47142/2024.**

Mr. Yogesh Mahajan, Applicant in person in **CM APPL. 48597/2024**



2025:DHC:6215-DB

Mr. Anuj Aggarwal, ASC, GNCTD
with Mr. Siddhant Dutt and Mr. Yash
Upadhyay, Advocates for GNCTD
Mr. Sangeeta Bharti, SC(DJB) with
Ms. Malvi Balyan, Adv. for DJB.
Mr. Anuj Chaturvedi, Adv Mr.
Harshita Maheshwari Mr. Pawan
Karen, DEO with Mr PK Jha, Principal
Director Law and Mr. Pranav Siroha,
LA for DUSIB.

2
+

AND

W.P.(C) 9617/2022

COURT ON ITS OWN MOTION

..... Petitioner

Through:
versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Anuj Aggarwal, ASC, GNCTD
with Mr. Siddhant Dutt and Mr. Yash
Upadhyay, Advocates for GNCTD.
Mr. Manish Mohan, CGSC with Mr.
Jatin Teotia, Mr. Samarth Talesara,
Advocates for UOI.
Ms. Prabhsahay Kaur, Standing
Counsel with Ms. Deessksha L. Kakar,
Ms. Ananya Sahu and Mr. Rashneet
Singh, Mr. Shivansh Sharma,
Advocates for DDA with Mr. Gaurav
Meena, AE, DDA Mr. Mr. Vishwajeet
Gahlot (AD, Housing), DDA.
Mr. Vikrant N. Goyal, Adv. for UOI.
Mr. Sangeeta Bharti, SC (DJB) with
Ms. Malvi Balyan, Adv. for DJB.
Mr. Anuj Chaturvedi, Adv with Mr PK
Jha, Principal Director Law and Mr.
Pranav Siroha, LA for DUSIB.

3
+

AND

W.P.(C) 10480/2024 & CM APPL. 43099/2024

AMITA SACHDEVA & ANR.

..... Petitioners



2025:DHC:6215-DB

Through: Ms. Amita Sachdeva, P-1 (through
VC)
Ms. Mallika Parmar, Adv. for P-2.

versus

GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr. Anuj Aggarwal, ASC, GNCTD
with Mr. Siddhant Dutt and Mr. Yash
Upadhyay, Advocates for GNCTD
Mr. Sangeeta Bharti, SC(DJB) with
Ms. Malvi Balyan, Adv. for DJB.
Ms. Hetu Arora Sethi, ASC for
GNCTD with Mr. Arjun Basra, Adv.
Mr. Haruddin Khan, AE/MCD.
Ms. Latika Malhotra, Adv. for DDA
Mr. Anuj Chaturvedi, Adv with Mr PK
Jha, Principal Director Law and Mr.
Pranav Siroha, LA for DUSIB.

4

AND

+

W.P.(C) 14094/2024 & CM APPLs. 58974-58975/2024

MURUGAN Petitioner

Through: Mr. Talha Abdul Rahman, Adv.

versus

DELHI URBAN SHELTER IMPROVEMENT
BOARD AND ORS.

..... Respondents

Through: Mr. Parvinder Chauhan, Ms. Aakriti
Garg, Adv. for DUSIB with Mr. P.K.
Jha (Pr. Director) with Mr. Pranav
Siroha, LA
Ms. Arti Bansal, Advocate with Mr.
Kamal Digpaul, Ms. Akanksha
Kumari, Advocates for DDA.
Ms. Prabhsahay Kaur, Standing
Counsel with Ms. Deessksha L. Kakar,
Ms. Ananya Sahu and Mr. Rashneet
Singh, Mr. Shivansh Sharma,
Advocates for DDA with Mr. Gaurav



2025:DHC:6215-DB

Meena, AE, DDA Mr. Mr. Vishwajeet Gahlot (AD, Housing), DDA Ms. Avni Singh, Adv. for GNCTD. (M: 9958018998) Mr. Anuj Chaturvedi, Mr. Anuj Chaturvedi, Mr. Harshita Maheshwari and Mr. Pawan Karan, DEO with Mr PK Jha, Principal Director Law and Mr. Pranav Siroha, LA for DUSIB.

5
+

AND

W.P.(C) 8035/2024, REVIEW PET.373/2024, CM APPLs.52659-52660/2024, 52780/2024, 52897/2024, 59162-59163/2024, 59345-59346/2024 and 61322/2024

SHABNAM BURNEY

.....Petitioner

Through: Mr. Sumit Kumar, Advocate.
versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Prabhsahay Kaur, Standing Counsel with Ms. Deessksha L. Kakar, Ms. Ananya Sahu and Mr. Rashneet Singh, Mr. Shivansh Sharma, Advocates for DDA with Mr. Gaurav Meena, AE, DDA Mr. Mr. Vishwajeet Gahlot (AD, Housing), DDA Mr. Ajjay Aroraa, Mr. Kapil Dutta and Mr. Nitish Dubey, Advocates Mr. Yash S Vijay, Advocate for Review Petitioner Mr. Avishkar Singhvi (ASC) with Mr. Vivek Kr. Singh, Mr Naved Ahmed and Mr Shubham Kumar, Advs. for GNCTD (M: 8527586706) Mr. Parvinder Chauhan, Ms. Aakriti Garg, Advs. for DUSIB with Mr. P.K. Jha (Pr. Director) with Mr. Pranav Siroha, LA



2025:DHC:6215-DB

Ms. Vrinda Grover, Mr. Prasanna S, Ms. Devika Tulsiani, Mr. Soutik Banerjee and Ms. Rupali Samuel, Advocates in **CM Nos.52780/2024, 52897/2024, 59163/2024.**

Mr. Anuj Chaturvedi, Mr. Harshita Maheshwari and Mr. Pawan Karan, DEO with Mr PK Jha, Principal Director Law and Mr. Pranav Siroha, LA for DUSIB.

6 AND
+ **W.P.(C) 8489/2024 & CM APPLs.34941/2024 and 63347/2024**

KRISHAN KUMAR & ORS. Petitioners
Through: Mr. Anand Varma, Advocate with Mr. Apoorva Pandey, Advocate

versus
DELHI JAL BOARD & ORS. Respondents
Through: Mr. Hilal Haider, Advocate with Ms. Amreen Rizvi, Advocate for R-1.
Mr. Jawahar Raja, ASC (Civil) for R-2 to 4.
Mr. Anuj Chaturvedi, Adv with Mr PK Jha, Principal Director Law and Mr. Pranav Siroha, LA for DUSIB.

7 AND
+ **W.P.(C) 13190/2024**

MAHARANI BAGH CO-OPERATIVE HOUSE BUILDING AND WELFARE SOCIETY LTD., & ANR. Petitioners
Through: Mr. A.N. Haksar, Senior Advocate with Mr. Udayan Jain, Mr. Raj Surana and Mr. Ranjan Mishra, Advocates.

versus
UNION OF INDIA & ORS. Respondents
Through: Mr. Anuj Aggarwal, ASC, GNCTD with Mr. Siddhant Dutt and Mr. Yash Upadhyay, Advocates for GNCTD



2025:DHC:6215-DB

Mr. Sangeeta Bharti, SC(DJB) with
Ms. Malvi Balyan, Adv. for DJB.
Mr. Amit Gupta, SPC with Mr. Vidur
Dwivedi, GP for R-1/UOI.
Mr. Tushar Sannu, Standing Counsel,
with Mr. Manoviraj Singh, Adv. for
MCD.
Ms. Prabhsahay Kaur, Standing
Counsel with Ms. Deessksha L. Kakar,
Ms. Ananya Sahu and Mr. Rashneet
Singh, Mr. Shivansh Sharma,
Advocates for DDA with Mr. Gaurav
Meena, AE, DDA Mr. Mr. Vishwajeet
Gahlot (AD, Housing), DDA

8
+

AND
W.P.(C) 15399/2024
SHAILENDRA BHATNAGAR Petitioner
Through: Petitioner in person
versus
GOVT. OF NCT, DELHI & ORS. Respondents
Through: Mr. Tushar Sannu, Adv. for GNCTD
Ms. Beenashaw N. Soni, SC for MCD
with Ms. Mansi Jain, Adv. for MCD
Mr. Sangeeta Bharti, SC(DJB) with
Ms. Malvi Balyan, Adv. for DJB.
Mr. Shivendra Singh, Advocate with
Ms. Prakriti Rastogi, Adv. for R-4.

9
+

AND
W.P.(C) 12626/2024 & CM APPL. 57104/2024
DR. ARPANA CAUR Petitioner
Through: Mr. Sanjeev Anand, Sr. Adv. with Mr.
Sameer Sood, Advocate.
versus
GOVT. OF NCT, DELHI THROUGH
CHIEF SECRETARY & ORS. Respondents
Through: Mr. Manu Chaturvedi, Standing
Counsel for MCD



2025:DHC:6215-DB

Mr. Shivendra Singh, Adv. with Ms.
Prakriti Rastogi, Adv. for R-4

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

%

06.12.2024

1. This hearing has been done through hybrid mode.
2. These matters pertain *inter alia*, to the water logging issues in Delhi.

W.P.(C) 8035/2024

DUSIB and eligibility determination of the JJ dwellers in Madrasi Camp

3. Vide order dated 22nd November, 2024, the Court noted that DUSIB needs to determine the eligibility of JJ Dwellers at the Madrasi Camp on or before 5th December, 2024, as per the timelines recorded in the minutes dated 6th November, 2024 and Court's order dated 12th November, 2024.
4. Today, on behalf of the DUSIB in compliance of the orders dated 22nd November, 2024 and 29th November, 2024, a short status report has been filed stating that out of 335 *jhuggis dwellers* in Madrasi Camp, Jangpura, 189 dwellers (135 of the *jhuggi* units on the drain side + 54 *jhuggi* units of the Madrasi Camp) have been found provisionally eligible for rehabilitation as per the Delhi Slum & JJ Rehabilitation and Relocation Policy, 2015 (renamed as '*Mukhya Mantri Awas Yojna*').
5. Let the complete list of all the eligible *jhuggi* units and the ineligible *jhuggi* units be placed on record within a week. DUSIB shall focus on the 214 *juggis*, whose removal would be essential for ensuring that any blockages of drains are removed as recorded in the order dated 23rd October, 2024. Thus, the DUSIB's verification process shall be completed for the 214 *jhuggis* without fail by 13th December, 2024.



6. Vide order dated 29th November, 2024, the Court also directed the department of PWD GNCTD to remit a sum of Rs.27.47 crores for relocation of the JJ Dwellers of the Madrasi Camp by the next date of hearing i.e., 6th December, 2024 (today). Mr. Avishkar Singhvi, Id. Counsel and Mr. Anup Aggarwal, Id. Counsel appearing for the PWD and GNCTD, respectively submit that the amounts shall be remitted by 13th December, 2024. Ordered accordingly.

7. DUSIB shall give advance copy of its verification report to the other counsels who are appearing in the matter including Ms. Grover, Id. Counsel before placing the same on record on the next date of hearing before the Court.

W.P.(C) 14094/2024

8. The present petition is filed by one Mr. Murugan who is a part of Madrasi Camp in Mathura Road, Jangpura, seeking quashing of the demolition notice dated 5th September, 2024, and the minutes of meeting dated 3rd September, 2024 for the JJ cluster in Madrasi Camp Jangpura. Further, the Petitioner seeks *in situ* rehabilitation to the residents of JJ cluster and an additional payment of compensation for threatening to demolish the houses of Petitioner.

9. The matter relating to the entire JJ cluster which is also known as the Madrasi Camp, Jangpura is already being dealt with in **W.P.(C) 7594/2018** and **W.P.(C) 8035/2024**. With respect to the issues relating to the rehabilitation of the entire cluster, several orders have been passed. One of the main issues being dealt with in the said writ petition is the blocking the Barapullah drain leading to water logging.

10. As noted above, DUSIB has today submitted a short affidavit stating that 189 *jhuggi units* (135 of the *jhuggi units* on the drain side + 54 *jhuggi*



units on the Madrasi Camp) have been found to be provisionally eligible for rehabilitation as per the Delhi Slum and *Jhuggi Jhopri* Rehabilitation and Relocation Policy, 2015 (renamed as '*Mukhya Mantri Awas Yojna*'). However, since the list has not been submitted along with the affidavit, it is not possible to ascertain the exact status of the Petitioner in this writ petition.

11. Accordingly, let the status report along with the complete list be served on the Id. Counsels by 10th December, 2024 including the Id. Counsel for the Petitioner herein. Upon perusing the status report, the affidavit and the list, further orders shall be passed in this writ petition.

W.P. (C) No. 13190/2024

12. The present petition has been filed by the Maharani Bagh Co-Operative Housing Building and Welfare Society Ltd. & Anr. seeking demolition of illegal constructions on both sides of Taimoor Nagar and Khizarabad drains and removal of all the silt and garbage up to Yamuna flood plains. The petition is further seeking implementation of Drainage Master Plan for NCT of Delhi, 2018 and Master Plan of Delhi, 2021 along with other reliefs.

13. This Court vide order dated 12th November, 2024, after perusing the photographs dated 6th and 7th November, 2024 directed the Spl. Secretary, Mr. K.S. Jayachandran, IDMC *i.e.*, Integrated Drain Management Cell, GNCTD to examine the issue of Taimoor Nagar drain and to ensure that all garbage and obstructions are removed for unobstructed flow of water into the river. On the last date *i.e.*, 29th November, 2024, the Court further directed the Chief Secretary to call a meeting of the concerned civic authorities responsible for the drain to create a Special Task Force to ensure the unclogging of this drain. The direction in the previous order dated 29th November, 2024 is clear and categorical to the following effect:



“2. This Court has perused the photographs annexed by the Petitioners with the objections. GNCTD is directed to ensure that all concerned statutory authorities ensure that the portions of the Taimur Nagar drain seen in these photographs is cleaned up so as to enable unhindered flow of water from the drain towards River Yamuna.
3. The Chief Secretary will call for a meeting of all the concerned civic authorities responsible for the drain to create a Special Task Force to ensure the unclogging of this drain.”

14. Mr. Haksar, Id. Sr. Counsel has handed over in Court a fresh set of photographs dated 4th and 5th December, 2024 pointing out that in the Taimoor Nagar drain, no cleaning work has happened and the drain continues to be clogged.

15. Mr. Anuj Aggarwal, Id. Additional Standing Counsel submits that he has filed a status report today. The same is not on record.

16. The photographs which have been placed before the Court speak for themselves. None of the areas in the drain have been cleaned. The images do not show any action which is being taken as there is no equipment for clearing of the drain, as per the photographs of yesterday i.e., 5th December, 2024 which has been placed on record. Clearly the orders of the Court are not just being ignored but are being violated with impunity. The brunt of these drains being clogged, along with waterlogging is to be borne by the residents of Delhi. The status cannot continue as it is, in blatant disregard of the orders of this Court. Some of the images handed over today are extracted below:



2025:DHC:6215-DB





2025:DHC:6215-DB





2025:DHC:6215-DB



17. A perusal of the above stated photographs show that the violation is on the face of the Court and this is a case of *Res ipsa loquitur*. Accordingly, issue notice as to why contempt action ought not to be initiated against Mr. K.S. Jayachandran Special Secretary, Integrated Drain Management Cell (IDMC) and Mr. Navin Kumar Choudhary, Additional Chief Secretary Irrigation and Flood Control Department, GNCTD. An affidavit shall be filed in response to this notice within three days *i.e.*, Wednesday (11th December, 2024). Both the officials shall remain present in Court on the next date of hearing.

W.P.(C) 15399/2024

18. The present petition has been filed by Mr. Shailendra Bhatnagar who is the Petitioner in person seeking compensation of Rs.3,50,000/- for the damages incurred in his office *i.e.*, U-20, Basement, Green Park, Extension, New Delhi-110016, due to flooding in that area on the intervening night of 27th -28th June, 2024.

19. The Petitioner submits that he wishes to repair his office, and is thus praying for compensation. He further submits that once he undertakes repairs to his office, since the status presently would have been changed, he should



not be deprived of the rights to compensation.

20. The Court has seen the photographs which are filed on record along with the petition. If required, the Petitioner may also take a video of his office as it exists before carrying out the repairs. The said documents and evidence would be sufficient for the purpose of consideration of grant of compensation and considering the prayers at the appropriate stage.

W.P.(C) 8489/2024

21. The present writ petition relates to flooding, water logging and drainage issues in the Mundka village area on account of torrential rains.

22. Insofar as the Mundka area is concerned, an Action Taken Report was to be filed and the official was to join proceedings in terms of the order dated 22nd November, 2024 in **W.P.(C) 7594/2018**. Mr. Jawahar Raja, Id. Counsel submits that the solution in the Mundka area would be that a proper drain is constructed on both sides of the Rohtak road. A bid has been floated in this regard and the bids have been submitted.

23. Let the tender for the reconstruction of storm water drain be finalized at earliest. The details of the successful tenderer be filed along with the copy of the tender by the next date of hearing by way of an affidavit. The successful tenderer shall also be present in Court on the next date of hearing.

W.P.(C) 7594/2018

24. An objection has also been raised by one of the Applicants in **W.P.(C) 7594/2018**, that the repair of manholes in Defence Colony area has not been carried out.

25. Ms. Preeti Sirohi, Id. Counsel shall now hand over whatever details of the manholes which require repairing in Defence Colony to Mr. Anuj Aggarwal, Id. Counsel for GNCTD in respect of which a proper action taken



2025:DHC:6215-DB

report shall be filed by the next date of hearing.

26. In respect of any directions given by this Court for filing of action taken report is concerned, it would be the responsibility of Mr. Anuj Aggarwal, Id. Counsel's office to obtain the relevant information from all the authorities including DJB, DDA, MCD, PWD, I&FC, NDMC, etc. to file the status reports.

27. In terms of the order dated 8th April, 2024, the Court was informed that by 30th April, 2024, the decision was taken that the responsibility, management and operation of the 22 open drains which are falling into the river Yamuna has been assigned to the I&FC Department. Therefore, all action taken reports would have to be filed by the I&FC department and it would not be permissible for the said department to assign this responsibility of taken action or filing of status report to any other authority.

28. Considering the expanse of this matter, the Id. Chief Secretary shall nominate at least two officials who shall coordinate with all the counsels in this matter in order to enable filing of timely status reports. If there are any inputs to be given by any of the Applicants the same shall be given to the said two officials who shall be responsible for filing the reports after the action is taken.

29. List these matters on 20th December, 2024.

PRATHIBA M. SINGH, J.

MANMEET PRITAM SINGH ARORA, J.

DECEMBER 06, 2024/dj/ks