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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188/2024, 42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024 & 66131/2025**

COURT ON ITS OWN MOTIONPetitioner
versus

UNION OF INDIA & ORSRespondents

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+ **W.P.(C) 9617/2022**

COURT ON ITS OWN MOTIONPetitioner
versus

GOVT. OF NCT OF DELHI AND ORSRespondents

Appearances:

For Petitioners:

Mr. Vivek Kumar Tandon and Ms. Vrinda Bhandari, Local Commissioner

For Respondents:

Mr. Tushar Sannu, SC, MCD & DJB with Mr. Ishika Jain, Adv. (M:9911991166)

Mr. S.D. Sanjay, Sr. Adv. with Mr. Gaurav Goyal, Mr. Vaibhav Sharma, Ms. Nikita Sethi, Advs. with Ms. Nazuk Kumar, MD, DSIIDC, Mr. Kuldeep Singh, Chief Ex. Engineer, DSIIDC, Mr. Furqueen, AEE, DSIIDC, Mr. Vikas, AE, DSIIDC and Mr. H.H. Zaidi, Legal Manager, DSIIDC.

Mr. Dhruv Rohatgi, Ms. Chandrika Sachdev, Advs. with Ms. Sandeep Mishra, Special Secretary for GNCTD

Mr. Bharat Gupta, Mr. Ishan Srivastava, Mr. Vishesh Chauhan & Ms. Shagun Gupta, Advs. for Naraina Industrial Association (9205035210)

Mr. Shashi Pratap Singh and Ms. Shagun Sabharwal, Advs. for Mundka Swaran Park Industrial Area Association.



Dr. Monika Arora, Mr. Subhrodeep Saha, Ms. Anamika Thakur, Mr. Prabhat Kumar and Mr. Abhinav Verma, Advs. (8979496930)
Ms. Kirti Mewar, Mr. Arjun Gaur & Ms. Harshita, Advs. For intervenor-
Mr. Pankaj Kumar (9958471186)
Mr. Sunish Kumar, Adv. (9999815345)
Mr. Ashok Gupta and Mr. Udyog Nagar, Advs. (M:9312253523)
Mr. Ripu Daman Bhardwaj, CGSC with Mr. Kushagra Kumar, Ms. Pragati Trivedi & Mr. Amit Kumar Rana, Advs. for UOI (9818030700)
Mr. Biraja Mahapatra, Mr. D.K. Singh, Advs. with Mr. D. Jindal, Law Officer, DPCC
Mr. Vikrant N. Goyal, Mr. Kunal Dixit, Mr. Yash Basoya and Mr. Piyush Wadhwa, Advs.
Mr. Vaibhav Sharma, Adv. with Ms. Nazuk Kumar, MD, DSIIDC,
Mr. Kuldeep Singh, Ex. Engineer, Mr. Furaquan, AEE, Mr. Vikas, AE & Mr. H.H. Zaidi, Legal Manager, DSIIDC
Mr. Rajesh Grover, President Jhandewalan Flatted Factory Association (Regd.)
Mr. Bhupesh Kumar, CE, SDW & Mr. Pankaj Atray, CE (Dr.) Project, DJB
Mr. Sunil Malhotra, President, Okhla Industries Association. (M: 9810039157)
Mr. Kapil Midha, Mr. Vartika Gautam, Advs. with Mr. Avinash Bharti for Mondhanka Udhyog Nagar (South) Welfare society
Mr. P.D. Sharma, President, Okhla Chambers of Industries, New Delhi. (M: 9810046767)
Mr. Kuldeep Khanna, Adv. (9212012166)
Mr. Rajan Sharma, President, Okhla Industrial Estate Association.
Mr. P.D. Sharma, President, Okhla Chamber of Industries
Mr. Umesh Anand, Okhla Factory Owner Association ((9999034998))
Mr. YC Jain, Gen. Sec., Okhla Industries.
Ms. Jagriti Jain & Mr. S. Bhardwaj, Advs. (8527506527)
Mr. Man Mohan Mehra, Representing Patparganj Industrial Area.
Mr. Jai Bhagwan, President, Wazirpur Small Industries Association.
Mr. J.K. Talwal, Delhi Manufacturer Federation. (M:9810305190)
Mr. Gajendra Sharma, SE Industries, GNCTD with Mr. Rakesh Kumar, SO.
Mr. Nishant Shokeen & Mr. Yash Bhardwaj, Advs. for SPM Industrial Park Welfare Association.



Mr. Devinder Lamba, Manager, Mayapuri Industrial Welfare Association, Mayapuri Industrial Area, Phase-I. (M:9211557167)
Ms. Meghaa Wadera, Ms. Yamini Sharma and Mr. Ghanendar Singh, Advs. for Mudka Welfare Industrial Society.
Ms. Rishika Jain, Ms. Simran Chawla, Mr. Deevanshu Sharma & Mr. Tanuj Rohilla, Advs. for Confederation of Delhi Industries and CETP Societies along with General Secretary-Mr. S.K. Tandon and Mr. Hitesh Sharma, Mayapuri, CETP.
Mr. Dilip Mishra, DSIDC & Udyog Nagar, CETP Society. (M: 9810211509)
Mr. Ravinder Gupta, Udyog Nagar Delhi.
Mr. Zain Haider and Mr. Mohammad Tanvir Ali, Advs. for Intervenor.
Mr. Asutosh Lohia, Ms. Rishika Jain, Mr. Deevanshu Sharma, Ms Simran Chawla, Mr Tanuj Rohilla Advocates for the Confederation of Delhi CETPs alongwith Mr. SK Tandon General Secretary of Confederation of Delhi Industries and CETPs
Mr Deevanshu Sharma, Adv.
Mr. Ashok Kumar, Adv.
Mr. Hitesh Sharma, Adv.
Mr. Kuldip Khanna, Adv.
Mr Sanjeev Dubey, Senior Advocate with Ms. Meghaa Wadera, Advocate Ms. Yamini Sharma, Mr. Ghanendar Singh, Mr. Shah Rukh Khan, Ms. Tanya Verma, Advs. for Mundka Industrial area welfare Association
Mr. Shobhana Takiar, SC for DDA.
Ms Prabhsahay Kaur SC DDA Ms Deeksha L kakar, Adv Mr Rashneet Singh, Adv Ms Antara mishra, Adv Ms Sana Parveen, Adv Mr Aditya Verma, Adv Ms Anmol M Kaur, Adv Mr. Manish Kumar Verma, Addl. Commissioner (Plg.) And Mr. Vinay kandwal , EE Eng.
Ms. Pratima N. Lakra, CGSC with Mr. Shailender Mishra, Ms. Mansi Aggarwal and Mr. Chanakaya, Advs. for DP with Mr. SI Dharam Pal, Delhi Traffic Police.
Mr. Astik Jha, Assistant Eng., Mr. Azad Singh Grewal, Executive Eng., Mr. Ramesh Kumar Gupta, Superintending Engineer, Mr. Pankaj Atraj, Chief Eng., CE(Dr.)Praj-I, Mr. Bhupesh Kumar, CE(SDW) for DJB.
Mr. Ram Raj Meena, EE, Mr. V.K. Singh, AE.



CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.01.2026

1. This hearing has been done through hybrid mode.

W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188/2024, 42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024 & 66131/2025

2. On the last date of hearing i.e., 8th January, 2026, this Court directed as under:

“4. Insofar as MCD is concerned, Mr. Anand, the Town Planner wishes to make submissions. Since there are various shortcomings in the proposals which are stated have been found by the MCD, let Mr. Anand hold a meeting with all the agencies who prepared these proposals so that the issues which have been raised by the MCD can be addressed. If any issues remain outstanding only those specific issues shall be brought to the notice of the Court on the next date of hearing.

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6. The Court has come across an open sewer in the Okhla area - the images of which are available in the digital article published by Times of India dated 7th January, 2026. An open sewer can be a safety and security hazard and also a health hazard for the residents.

7. Accordingly, the publication copy has been handed over to Ms. Bharti, Id. Counsel for the DJB who can look into the same and obtain instructions from the DJB. If the DJB needs any cooperation from the MCD and the Public Works Department (hereinafter, 'PWD'), both Mr. Sannu, Id. Counsel for the MCD and Mr. Rohatgi, Id. Counsel for the Government of the National Capital Territory of Delhi have assured the Court that the same



would be extended to the DJB. If there is any leakage of sewer line or water pipe, the same shall be fixed immediately and a proper timeline shall be prepared for laying of the road in the said area.

8. The DJB along with the MCD and PWD or any other Delhi Government agency which may be required shall immediately inspect this area over the next few days and file a status report by 16th January, 2026.

9. An updated status report may be filed by all the agencies regarding the Sewage Treatment Plants and Common Effluent Treatment Plants in Delhi. If any meetings are to be held, the same shall be coordinated and all agencies which are called for the meeting shall duly attend the same without any impediment being created.”

27 Non- Confirming Areas

3. Out of the 27 non-confirming areas, insofar as the 20 areas are concerned, the surveys have been completed and the plans were to be discussed with the Municipal Corporation of Delhi (hereinafter, ‘MCD’) in terms of the last order dated 8th January, 2026.

4. A status report has been filed by the MCD as per which, there were certain shortcomings which were noticed in the said plans and after perusing the status report, this Court is of the opinion that a joint meeting ought to be now held between the concerned consultant agencies, the MCD, Delhi Development Authority (hereinafter, ‘DDA’) and Delhi State Industrial and Infrastructure Development Corporation (hereinafter, ‘DSIIDC’) for finalizing the plans.

5. Let the said meeting be held on 2nd February, 2026 in the office of the DSIIDC situated at Lajpat Nagar. The said meeting shall also be attended by at least two representatives of the respective associations.



6. At the end of the said meeting, the DDA and MCD shall impress upon the consultant agency as to what further modifications would be required and thereafter, plans for the said 20 area be finalized by 28th February, 2026.

7. Insofar as the 7 colonies for which the plans are yet to be submitted by the consultants are concerned, the DSIIDC has placed a status report on record. As per the said status report, the status of the 7 colonies is as under:

S. No	Non-Confirming Area	Status	Consultant
1.	Mundka Udyog Nagar North (Godown Cluster Mundka)	The survey work has been completed. The redevelopment plan along with the survey report has been forwarded to the concerned industry association for vetting. Certain clarifications were pointed out by the said association, which are presently being incorporated by the concerned Architect/Consultant.	M/s Creative Circle
2.	Mundka Udyog Nagar South	The survey work has been completed. Redevelopment plan along with survey report has been sent to the concerned industry for vetting. The same is awaited.	M/s Creative Circle
3.	Anand Parbat Non-Confirming Industrial Area	In compliance with the order of the Hon'ble High Court dated 05.12.2025, a meeting was held on 09.12.2025, which was attended by officials of DSIIDC, DDA, Town Planning Department (MCD), Industries Department, and representatives of the concerned Architect/Consultant, DMF, and the Industrial Association. Pursuant thereto, the survey with all stakeholders commenced on 12.12.2025.	M/s Square Design



4.	Basai Darapur Non-Confirming Industrial Area	The survey has been completed. The drawings and reports are presently being compiled. The redevelopment plan and report are awaited.	M/s SABS Architects & Engineers Pvt. Ltd.
5.	Samaipur Badli Non-Confirming Industrial Area	The survey has been completed, and the final redevelopment drawings and report have been prepared. The redevelopment plans shall be submitted to the MCD at the earliest, after obtaining vetting from the concerned Industrial Association.	M/s Square Design
6.	Swaran Park Mundka Non-Confirming Industrial Area	Survey is in progress and the same will be completed by 20.02.2026.	M/s SABS Architects & Engineers Pvt. Ltd.
7.	Phirni Road, Mundka Non-Confirming Industrial Area	The Tripartite Agreement is executed and the survey work has been started.	M/s Creative Circle

8. The consultants shall now submit the plans regarding these 7 colonies to the MCD by 2nd February, 2026.

9. At this stage, the Court is informed that certain *Khasra* numbers *i.e.*, plots are excluded from the purview of the survey conducted by the consultants in the Mundka area. This aspect shall be considered by the Court on 3rd February, 2026.

10. All the consultants, associations and representatives shall join the



hearing either physically or virtually on the said date.

11. If there is any issue of outstanding fees between DSIIDC and MCD, the concerned officials shall resolve the matter and bring it to this Court's notice on the next date of hearing *i.e.*, on 3rd February, 2026.

12. For this purpose, list on 3rd February, 2026.

Upgradation of Common Effluent Treatment Plant (hereinafter, 'CETPs')

13. The Confederation of Delhi Industries and CETPs which is present in Court and which is represented by Mr. Ashutosh Lohyia, Id. Counsel submits that 11 CETPs are ready to commence their upgradation.

14. In order to ensure that there is no ambiguity as to the parameters which have to be achieved by the upgradation, let the Managing Director, DSIIDC along with other officials meet the representatives of the Confederation of Delhi Industries and CETPs on 5th February, 2026 and the final parameters shall be handed over to them so that they would start the upgradation process. Let a status report be placed on record by the Confederation of Delhi Industries and CETPs in this regard by the next date of hearing.

15. It is made clear that the Confederation of Delhi Industries and CETPs shall not rely upon any communication between DSIIDC and Council of Scientific & Industrial Research - National Environmental Engineering Research Institute (hereinafter, 'CSIR-NEERI') in order to postpone the upgradation.

16. If any desilting or clearing of drains is required for the purpose of upgradation of CETPs, the Delhi Jal Board (hereinafter, 'DJB'), the MCD and the DDA as also the Public Works Department (hereinafter, 'PWD') shall fully cooperate in order to ensure that there is no postponement of the



upgradation of CETPs.

17. Insofar as the DSIIDC's mandate to CSIR-NEERI is concerned, the Court would like to be appraised as to the following aspects:

i) The total quantity of domestic sewage which is generated in Delhi. This shall also include authorized and unauthorized colonies; and

ii) The total quantity of industrial waste that is generated in Delhi;

18. CSIR-NEERI shall submit a report as to how many Sewage Treatment Plant (hereinafter, 'STPs') and CETPs would be required to ensure that all the domestic sewage and the industrial waste in Delhi is fully treated. For this purpose, the Managing Director, DSIIDC shall coordinate with CSIR-NEERI and a joint status report shall be placed on record by the next date of hearing.

19. Moreover, in order to prepare this report all required agencies including public and private agencies, which may be required to hold a meeting under the Chairmanship of Mr. Sandeep Mishra, Special Secretary, Integrated Drain Management Cell (hereinafter, 'IDMC'),.

20. For this purpose, list on 27th February, 2026.

Issue of Waterlogging in the Okhla Area (Re: e-newspaper report dated 7th January, 2026)

21. Insofar as the issue of waterlogging in the Okhla area is concerned, the inspection has been conducted by the DJB and a report has been placed on record. As per the said report dated 15th January, 2026, there is a backflow of water which is leading to waterlogging in the said area. The status report also states that the backflow is taking place due to the Uttar Pradesh Irrigation Department not dredging, re-modelling and expanding the Abul Fazal Drain for which even payment has been made by the National Mission for Clean



Ganga ('NMCG'). The extracts of the status report are set out below:

“3. It is most respectfully submitted that as per the direction of National Mission for Clean Ganga, the work relating to discharge of treated effluent from Okhla Waste Water Treatment Plant (WWTP) has been duly executed by Delhi Jal Board (DJB) for discharging treated water into Abul Fazal Drain, which falls under the administrative and operational jurisdiction of the UP Irrigation Department.

4. That the answering Respondent/DJB has completed its responsibility of ensuring proper treatment and discharge of effluent, however, it has been observed that the UP Irrigation Department has not carried out regular and requisite dredging/maintenance of Abul Fazal Drain.

It is submitted that regarding the aforesaid issue answering Respondent has written numerous communications vide letter dated 30.10.2025, 17.11.2025 and 02.12.2025 to the UP Irrigation Department. Copy of letters written to UP Irrigation Department vide letter dated 30.10.2025, 17.11.2025 and 02.12.2025 are annexed herein for ready reference and marked as

Annexure-R/l(Colly-).

5. It is further submitted that Rs.8.7Cr has already been given by NMCG to UP Irrigation for the Desilting and dredging of Abul Fazal Drain on March 2025 yet UP Irrigation have not done the desilting work of Abul Fazal Drain. Due to accumulation of silt and 40 20402-2030 carrying capacity of the drain, free flow of water is severely impeded. Copy letter No. F-(4)/DJB/SE(Dr.)Proj-IV/2025/116 dated 01.03.2025 and letter No.T-11/2015-16/1210/NMCG dated 13.01.2026 is annexed herein and marked as



Annexure-R/2.

6. It is submitted that the inaction of the UP Irrigation Department in maintaining the Abul Fazal Drain has led to waterlogging in the adjoining areas, causing significant inconvenience to the general public, including flooding of roads and disruption of daily activities. This situation has given rise to public grievances. for which the answering Respondent DJB is being unjustly held responsible, notwithstanding that the said drain falls entirely outside its jurisdiction.

7. It is further submitted that answering Respondent meanwhile, due to lack of dredging and desilting of Abul Fazal Drain by the UP Irrigation Department, water logging has occurred in adjoining areas, causing severe public inconvenience and hardship. Owing to this situation, DJB proposed to remove the 2000 mm MS pipeline laid for diversion of treated effluent as an interim corrective measure. However, the local residents are opposing and obstructing the removal of the pipeline, apprehending that removal of the pipeline, in the absence of culvert, will result in severe water logging on the upstream side during rainy season. Due to public outrage and law-and-order-like situations at site, the answering Respondent is unable to remove the pipeline, despite its willingness to do so, thereby further aggravating the situation.”

22. In addition, Mr. Sannu, Id. Counsel for the DJB submits that the presence of water on the said main road in the Okhla Area also depends upon the time of the day and it is not permanently flooded. Reliance is placed upon three photographs to show the condition of the road in the morning, afternoon and evening. The said photographs are set out below:



Morning at 10:17 AM





Afternoon at 1:36 PM





Evening at 5:13 PM





23. In addition, Mr. Sannu, Id. Counsel for the DJB submits that at the place where the STP has been installed in the said area, there is a need for building of a culvert.

24. The Court is pained to note that despite the inspection of the road which has been conducted by the DJB along with other agencies, neither the DDA, DJB or MCD is able to state as to which agency is maintaining this road.

25. Mr. Ram Raj Meena, Executive Engineer, MCD and Mr. V.K. Singh, Assistant Engineer, MCD, who are present in Court submit that the MCD only cleans the road but the road itself is owned by the Uttar Pradesh Irrigation Department.

26. Under these circumstances, since the dredging, re-modelling and expanding of the Abul Fazal Drain into which the water from the STP is flowing is stated to be maintained by the Uttar Pradesh Irrigation Department and the stand is that the road itself is owned by the Uttar Pradesh Irrigation Department, it is deemed appropriate to issue notice to Mr. Anil Mittal, Standing Counsel, State of Uttar Pradesh (***Mobile No.:9810064432***). Let the Registry issue Court notice to Mr. Anil Mittal, Standing Counsel, State of Uttar Pradesh.

27. In addition, Court notice shall also be issued to the office of **Resident Commissioner, NBCC Place, Upper Ground, Floor, Bhishm Pitamah Marg, Pragati Vihar, Uttar Pradesh** by the Registry.

28. In the meantime, the Uttar Pradesh Irrigation Department shall work closely with the MCD and DJB to ensure that the road in the Okhla area is cleaned, repaired and is also laid. Moreover, the MCD and DJB shall ensure that some temporary measure is taken to ensure that the backflow water is stopped to make sure that traffic and pedestrians are not inconvenienced on a



daily basis.

29. Let the steps to be taken by the Uttar Pradesh Irrigation Department be placed on record by way of a report by the next date of hearing.

30. Let the DJB file an updated status report in respect of the upgradation of the STP in the Okhla area.

31. For this purpose, list on 27th February, 2026.

PRATHIBA M. SINGH, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 16, 2026

Rahul/dj/kk/Ck