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

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+ W.P.(C) 7594/2018, C.M. Appl. No. 30022/2018

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA & ORS

..... Respondents

Through:

Mr. Ripu Daman Bhardwaj, Advocate
for respondent No. 1/UOI
Mr. Gautam Narayan, Additional
Standing Counsel for Govt. of NCT
of Delhi with Ms. Shivani Vij, Ms.
Dacchita Shahi, Advocates
Mr. Anil Grover, Standing Counsel
with Ms. Noopur Singhal, Advocate
for NDMC
Ms. Mini Pushkarna, Standing
Counsel with Ms. S. Bhujan, Ms.
Shina Pandey, Advocates for
respondent No. 6/EDMC
Mr. Sumeet Pushkarna, Advocate
with Mr. S.K. Bhardwaj, Chief
Engineer and Mr. Narender Kumar
(SE) for respondent – DJB.
Ms. Puja Kalra, Standing Counsel,
with Mr. Virendra Singh, Advocate
for SDMC.
Mr. Tarveen Singh Nanda, JD Ajay,
for Delhi Cantonment Board.
Ms. Monika Arora, Mr. Kushal
Kumar, Mr. Praveen Singh, Advocate
for respondent No. 5/North DMC.



14.

+ CONT.CAS(C) 136/2018, C.M. Appl. No. 7583/2018
NYAYA BHOOMI (NGO) Petitioner
Through: Mr. Jaidev Singh, Mr. Ashok Mittal,
Nominees of Lt. Col. B.B. Sharan.

versus

MADHUP VYAS (IAS) COMMISSIONER MCD
(NORTH DMC) & ORS Respondents
Through: Mr. Anil Grover, Standing Counsel
with Ms. Noopur Singhal, Mr. Ajjay
Aroraa, Mr. Kapil Dutta, Advocates
for NDMC
Mr. Ranjan Tyagi, Advocate for
respondent No. 3 (EDMC)
Mr. Tarveen Singh Nanda, JD Ajay,
for Delhi Cantonment Board.

15

+ W.P.(C) 1758/2005
LT. COL. B.B. SHARAN (RETD.) Petitioner
Through: Mr. Jaidev Singh, Mr. Ashok Mittal,
Nominees of Lt. Col. B.B. Sharan.

versus

M.C.D. & ANR. Respondents
Through: Mr. Anil Grover, Standing Counsel
with Ms. Noopur Singhal, Mr. Ajjay
Aroraa, Mr. Kapil Dutta, Advocates
for NDMC
Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Sawan Kumar Shukla,
Advocate for UOI
Mr. Ranjan Tyagi, Advocate for
respondent No. 3 (EDMC)
Mr. Shlok Chandra, Mr. M.S. Roopali
Wadhawan, Mr. Harshvardhan
Sharma, Advocates for Mr. Rajiv



Bansal, Senior Advocate for DDA.
Ms. Firdause Q. Wani, Md. Zaryab J.
Razia, Mohd. Sadiq Noor, Advocates
with Mr. Virender Kumar, Chief
Engineer, DSIIDC.
Mr. Styakam, Additional Standing
Counsel for Govt. of NCT of Delhi
(respondent No. 4 and 5)
Mr. Tarveen Singh Nanda, JD Ajay,
for Delhi Cantonment Board.
Mr. Balendu Shekhar, Advocate for
DPCL.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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08.07.2019

1. These three writ petitions primarily relate to the problem of water logging in the National Capital Territory of Delhi, which further leads to traffic jams and causes great inconvenience to common people. We had, on the last date of hearing, directed the respondents to identify at least 15 most problematic areas of water logging and treat them as pilot project. The aim and objective of this exercise was to give an insight as to whether the steps proposed to be taken have given positive results or not and to assess, what else can be done to ensure that there is no water logging during the monsoons.

2. Mr. Gautam Narayan, Additional Standing Counsel for Govt. of NCT of Delhi has drawn attention of the court to the status report filed, the minutes of meeting and 16 sites, which have been identified, alongwith long term and short term measures proposed have been highlighted. Additionally, an updated version of 'Annexure B' has



2025, June 26, 15:22 DB

been handed over in court, which shall be filed before the next date of hearing.

3. We are informed that at most of the sites, water pumps are installed and on the remaining sites water pumps shall be installed shortly. We are also informed that in the past, the water pumps were not effective as de-silting was not complete. Learned counsel submits that they are hopeful that this problem would not arise this year as de-silting of drains has already been carried out and the water will be thrown into the drains. We have requested the learned counsel for the respondents to ensure that the pumps are manned by operators every day during the monsoon season and the moment the water starts getting collected, the pumps should be put to use so that there is no water logging and the citizens are not inconvenienced by traffic jams. We have also suggested the use of Drones during the monsoon as they would enable the authorities to easily identify the sites where water logging is taking place. It would also be advisable to set up a Control Room so that quick information on traffic jams and water logging, etc., can be reported and simultaneously suitable action can be taken in the shortest period of time.

4. We may note that one of the petitions, i.e. W.P.(C) No.1758/2005, is pending since the year 2005. The pendency of this petition only indicates that the work executed by the authorities on ground level is far from satisfactory. Keeping this in mind this Court had directed the respondents to identify 15 sites so that an overall view of the problem can be taken as well as the issues could be assessed at a micro level pending long-term measures and solutions to



this problem.

5. Keeping this in mind, it is directed that the Members of the Committee, during the period of monsoon, shall endeavour to personally visit some of these specific areas where water logging takes place. This will enable the Members of the Committee not only to assess the measures that need to be taken to address the issue of water logging, but also to ascertain whether the action plan, which is being executed on ground, is actually effective or not and what additional measures need to be taken.

6. The respondents may also consider that on the one hand, there is water logging and on the other that there is an acute shortage of water. This we say, so that the department can look into this aspect and consider rain water harvesting near those sites, where there is clogging and collection of water. This, in our view, would serve two purposes viz. the area would stand clear of water logging and the collection of water would help raise the underground level. We have no hesitation in saying that all the departments would cooperate with each other to ensure that the citizens are not inconvenienced during the coming monsoon.

7. Status report be filed before the next date of hearing.

8. Re-list the matter on 24.07.2019.

G.S.SISTANI, J

JYOTI SINGH, J

JULY 08, 2019/pkb/s