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

+ **W.P.(C) 10531/2017**

SHANTI TANWAR

..... Petitioner

Through Mr. Pankaj Sharma, Advocate

versus

DELHI JAL BOARD AND ORS.

..... Respondents

Through Mr. Sumeet Pushkarna, Standing
Counsel with Ms. Anushruti, Adv. for
DJB with Mr. Ravinder Kumar, Head
Clerk
Mr. Uday Chauhan, Advocate for
Ms. Sunita Bansal, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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27.11.2017

CM APPL. 43107/2017 (Exemption)

Exemption allowed, subject to all just exceptions.

CM stands disposed off.

W.P.(C) 10531/2017

Instant petition has been filed seeking issuance of writ of mandamus directing the respondent-Delhi Jal Board to grant an independent water connection in property bearing No. RZ-16A/9, Gali No.2, Main Sagarpur, New Delhi-46, in short the 'subject property'.

It proceeds on the premise that the petitioner is the owner and

in occupation of the subject property, having purchased it in the year 2012. Copies of the documents for having purchased the subject property and the Aadhar Card are annexed to the petition as Annexure-P1.

Ld. Counsel for the respondent-DJB submits that the applicant has not yet made any formal prescribed application for seeking the water connection. During the course of hearing however, it transpires that the documents of title, on the premise whereof the petitioner asserts to be the owner, are not being accepted to grant the water connection, and, in that context, ld. Counsel for the respondent-DJB adverts to Clause 9 (b) of the prescribed application form filed for new water connection. A perusal of such application form gives various nature of documents, including notarised GPA with complete chain; Will/NOC of owner in favour of the applicant, and so on, besides registered Conveyance Deed/Sale Deed. So many options given in the application, in fact, only indicate that such options are to ensure that the occupant is a settled lawful occupant to be entitled to a water connection, and, the purpose is not to establish the legal transfer by way of the registered Conveyance/Transfer Deed only.

In view of the foregoing, the writ petition is disposed off, with a direction to the respondent-DJB that on the petitioner making the required application supported with the documents on the premise whereof, the petitioner asserts to be a settled lawful occupant of the subject property, the respondent-DJB shall provide the water connection within three weeks of the application being made. In the event, the respondent-DJB has reason to decline the application, it

shall pass a speaking order and immediately communicate to the petitioner. Petition stands disposed off accordingly.

Dasti under the signatures of Court Master.

A. K. CHAWLA, J

NOVEMBER 27, 2017

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