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

+ W.P.(C) NO.847/2019 & CM APPL. No. 3831/2019 (for interim relief)

N. D. DAYAL

..... Petitioner

Through: Mr. Ashok Gurnani, Mr. Anurag Jain,
Mr. Amit Korpai, Advocates.

versus

DELHI JAL BOARD AND ANR.

..... Respondents

through Mr. Sumeet Pushkarna, Standing
Counsel with Mr. Devanshu Lahiry,
Mr. Anshul Aditya Tewari, Advocates
with Mr. Jitendra Jha, A.E. for Delhi
Jal Board/R1.
Mr. Raktim Gogoi, Mr. Sarvaswa
Chhajer, Advocates for R2.
Mr. Shekhar Kumar, Advocate for
R3.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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25.01.2019

The petitioner is aggrieved by the penalty imposed by respondent No.1 towards inadequate rain water harvesting arrangement made in the petitioner's property as per respondent No. 1's currently applicable Rain Water Harvesting Guidelines ; and by bills on that account raised upon the petitioner.

Learned counsel on behalf of all three respondents are present on advance notice.

Learned counsel for the petitioner and respondent No. 1 submit

that the only dispute is with regard to the *dimensions* of the rain water harvesting pit that is required under the said guidelines ; and that, according to respondent No. 1, the pit constructed in the petitioner's property was smaller than required.

Mr. Sumeet Pushkarna, learned Standing Counsel for respondent No. 1 fairly states that the petition can be disposed of directing respondent No. 1 to treat the present writ petition as a representation on behalf of the petitioner ; and they will consider the same in accordance with the rules, regulations and the current guidelines on rain water harvesting. This is acceptable to learned counsel for the petitioner.

Mr. Pushkarna further states that only in deference to the petitioner's request for a personal hearing, and as a special case, the petitioner will be granted a hearing by the Director (Revenue), Delhi Jal Board Head Quarters, Jhandewalan, Delhi before taking any further decision in the matter.

Accordingly, the present petition is disposed of with a direction that the writ petition be treated as a representation on behalf of the petitioner ; and that the petitioner be given a hearing in the matter and the representation be decided in accordance with the current rain water harvesting guidelines of respondent No. 1, within a period of two months.

The writ petition is disposed of in the above terms.

ANUP JAIRAM BHAMBHANI, J.

JANUARY 25, 2019/j