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

+ W.P.(C) 4031/2019

KAPIL TANWAR

..... Petitioner

Through: Mr Avadh Kaushik and Mr Robin
Singh, Advocates.

versus

DELHI JAL BOARD AND ANR.

..... Respondents

Through: Mr Sumeet Pushkarna, Standing
Counsel with Mr Devanshree,
Advocate with Mr B.K. Chauhan,
E.E. and Mr Azhar Alam, Z.E. for
Delhi Jal Board.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.04.2019**

1. The petitioner has filed the present petition being aggrieved by sewage water overflowing into his dwelling house. The petitioner claims that the same is on account of leakage in the sewer lines being maintained by respondent no.1 (DJB).

2. Mr Pushkarna, learned counsel appearing for DJB submits that a complaint of the petitioner was received and the same was investigated. He states that it was found that there is no leakage from the sewer lines maintained by DJB, however, it appears that there are private sewer lines running under or near the petitioner's house, which are damaged and are resulting in flow of sewage water into the petitioner's house. He further states that since the sewage lines are private lines and the area is a village area, DJB would have no jurisdiction to carry out any repairs. He, however,

submits that if the petitioner engages a qualified person (Engineer/Architect) and necessary work force to dig up the area in question, the DJB on its part would ensure that one of their officials is present at site to assist in locating the leakage.

3. In view of the above, the learned counsel appearing for the petitioner states that he shall arrange for qualified persons and necessary labour for doing the needful tomorrow (that is, 17.04.2019) at 11:00 a.m.

4. In view of the above, DJB is directed to ensure that the concerned Assistant Engineer is present at site tomorrow (that is, 17.04.2019) at 11:00 a.m.

5. The petition is disposed of with the aforesaid directions.

6. In the event, it is discovered that the petitioner's grievance results from failure on the part of DJB to perform its functions or it is found that the statement made on behalf of DJB is incorrect, the petitioner would be at liberty to revive the present petition.

APRIL 16, 2019
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VIBHU BAKHRU, J