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

% Judgment delivered on: 13.09.2019

+ W.P.(C) 9510/2019

ST. GIRI SCHOOL THROUGH MS LAXMI WAILA..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL Respondent

Advocates who appeared in this case:

For the Petitioner: Ms.Urvashi Singh, Adv.

For the Respondent: Ms.Kaadambari Puri, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. By this petition petitioner seeks a direction to the respondent NDMC to provide an independent water connection to the petitioner School.

2. Subject petition has been filed contending that there is a dispute between the school and the landlords. Learned counsel submits that the school has been running in the said premises for the last 40 years and now the members of the temple have started interfering in their use and occupation and disputing their rights in the property.

3. Learned counsel for the petitioner submits that earlier the water was being supplied through the water connection of the temple, however, the same has now been disconnected and the school is without any water supply and has to provide water to the students through water tankers.

4. Issue notice. Notice is accepted by learned counsel for the respondent.

5. Learned counsel for NDMC submits that NDMC has no objection to the grant of an independent water connection provided the petitioner fills the requisite forms and makes an application in the prescribed format.

6. Learned counsel appearing for NDMC submits that the application can be made by an owner, licensee or an occupier subject to establishing the ownership/tenancy/occupation rights.

7. Learned counsel for the petitioner submits that the school has been running since 1977 and 350 students are studying in the school.

8. In view of the above, the petition is disposed of with a direction to the NDMC to provide an independent water connection to the petitioner school subject to the petitioner complying with the requisite formalities.

9. It is clarified that grant of independent water connection will be without prejudice to the rights and contentions of the parties as also

the rights and contentions of the owners/landlords of the property and shall not create any special equities in favour of the petitioner.

10. Petition is disposed of in the above terms.

11. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 13, 2019

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