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

+ **W.P.(C) 9771/2019**

MAHESH JHA AND ANR.

..... Petitioners

Through: None

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

.....Respondents

Through: Ms. Mini Pushkarna, Standing
Counsel with Ms. Swagata Bhuyan, Ms. Latika
Malhotra, Advocates and Dr.C.B.Singh, Deputy
Director, CZ, for respondent/SDMC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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04.03.2020

1. Ms. Mini Pushkarna, learned Standing Counsel for the respondent/SDMC states that pursuant to the order dated 20.01.2020, she has filed a Status Report on behalf of the respondent/SDMC.
2. On perusing the said affidavit dated 02.03.2020, we find that it is far from the scope of the directions issued by this court. As, for example, in paragraph No.8 of the affidavit, it has been stated that the Department has removed 10 illegal dairies from its jurisdiction. There was no such direction issued to the respondent/SDMC calling upon it to indicate how many dairies are running illegally in its jurisdiction. All that we had asked for from the respondent/SDMC was to file an affidavit explaining the presence of cattle in the Central Zone alone, particularly when, even as per the SDMC only one valid licence has been issued in respect of four cattle in favour of an individual residing in Sangam Vihar. The respondent/SDMC was also

directed to indicate the steps taken for conducting regular inspections of the area, as in Central Zone and find out whether cattle are being reared unauthorizedly by the residents of the area, the number of inspections conducted to impound the said cattle and steps taken to shut-down the illegal dairies.

3. At this stage, learned counsel for the respondent/SDMC refers to paragraph No.7 of the affidavit dated 02.03.2020 and submits that for the period between January, 2019 and February, 2020, the Department of Veterinary Services has taken action in the Central Zone by removing the stray cattle and 1729 stray cattle have been impounded, which includes 127 stray cattle from Harkesh Nagar and Okhla Industrial Area alone.

4. We are rather dissatisfied with the affidavit filed by the respondent/SDMC by the Deputy Director, Veterinary Services, Central Zone. If the respondent/SDMC had been taking such regular steps to impound stray cattle and send them to *Gaushalas*, being run by the Animal Husbandry Department of GNCTD, then some explanation is required from the Department as to how were at least 10 stray cattle noticed in the photographs of Harkesh Nagar Sabzi Mandi, Okhla Industrial Area filed by the petitioner. From Annexure-C enclosed with the affidavit dated 02.03.2020, it apparent that the addresses of the illegal dairies, which the respondent/SDMC states have been removed, do not pertain to the area in question.

5. Learned counsel for the respondent/SDMC submits that the cattle are actually being let loose by the owners residing in Harkesh Nagar and Okhla Industrial Area. If that is so, then the SDMC needs to explain how the said

cattle have travelled from different parts of Delhi to this area and are being let loose there.

6. As for the apparent running battle between the civic agency and the BSES and Delhi Jal Board with regard to its grievance that the electricity connection and water supply to the premises where cattle are kept unauthorizedly are not being disconnected, it is for the respondent/SDMC to find a solution.

7. The respondent/SDMC shall file a better affidavit keeping in mind the observations made above, within four weeks.

8. List on 30.04.2020, for awaiting compliance.

HIMA KOHLI, J

ASHA MENON, J

MARCH 04, 2020/s/pd