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

Date of Decision: 18th October, 2019

+ W.P.(C) 6609/2017

KHARAK SINGH NEGI Petitioner
Through: Mr. Md. Niyazudin, Adv.

versus

GOVT. OF NCT OF DELHI & ORS Respondents
Through: Mr. Sumeet Pushkarna, Standing
Counsel with Mr. Devanshu Lahiry, Adv. along
with Mr. S.P. Arora for R-2

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This writ petition has been preferred as a Public Interest Litigation with the following prayers:

“a) That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other appropriate writ, directing respondent No.1 and 2 to supply water through pipes to the Area Sangam Vihar, Block-G, Block-K2, Block-L, Block-L/1, Block-L/2, Block-M, Block-M/1, Block-M/2, Church Colony, Harijan Basti situated near Bandh Road, Sangam Vihar, New Delhi;
b) pass such other and further reliefs as the nature and circumstances of the case may require;”

2. Counsel appearing for the petitioner submitted that to the public at large, who are residing at the place as mentioned in the aforesaid prayer clause, the water may be supplied through pipelines. It is further submitted by counsel for the petitioner that other type of development works like the establishment of a school, Government dispensary etc. have been done by the respondents and therefore a suitable direction be given to the respondents to arrange water supply through pipelines to the residents of the area in question.

3. Counsel appearing for respondent No.2 submitted that the area in question partly belongs to forest land and hence the respondents are slightly slow in developing this area because of awaiting 'No Objection Certificate' from the Forest Department and the Archaeological Survey of India.

4. In view of the aforesaid limited submissions and also looking to the facts and circumstances of the case, it appears that a school and a Government dispensary have already been constructed by the respondent No.1 in the area in question. Thus, the development process is already going on at the behest of the respondent No.1 at the place mentioned in the aforesaid prayer clause. We, therefore, direct the respondents to arrange supply of water through pipelines to the residents residing at Sangam Vihar area, New Delhi in accordance with law, rules, regulations and Government policy applicable to the facts of the present case as early as possible and practicable. But if any person is residing within the forest area, all care should be taken by the respondent to provide water to him/her in accordance with law, rules, regulations and Government policy applicable to the facts of the present case.

5. With these observations, this writ petition is disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 18, 2019
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