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

Date of Decision: 14.08.2019

+ W.P.(C) 10024/2017 & CM APPLs. 36137-38/2018

SIMRAN THROUGH HER FATHER

..... Petitioner

Through: Ms. Anju Jain with Mr. Hitesh Sachar
& Ms. Mrinalini, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Gautam Narayan, ASC, GNCTD
with Ms. Dacchita Shahi &
Ms. Shivani Vij, Advs. for
R-1/GNCTD.
Ms. Puja Kalra, Adv. for R-2/SDMC.
Mr. Sumeet Pushkarna, Adv. for DJB.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This Public Interest Litigation has been preferred with the following prayers:

“a) Pass an order directing the respondents to construct 'dhalao/FCTS' on the land allotted by Delhi Government vide allotment letter No.F.19/BDO/S/allot/2015/9036 TO 45 dated 24/02/2016.

b) Pass an order directing the respondents to remove garbage and prevent collection of sewer water in the pond and area adjacent to school boundary.

c) Direct the respondents to immediately construct a Permanent Pump House at F-Block, Aya Nagar New Delhi water body which is filled with sewer water which is going from the village pond.

d) Direct the respondents to complete the work left in complete with respect to the pond.

e) Direct the respondents to ensure compliance of the orders passed in the meeting dated 11.08.2017 by the Deputy Commissioner (South).

f) Pass such other and further order which the Hon'ble court may deem fit and proper in the fact and circumstances of the above case;”

2. We have heard the counsel for the petitioner and the counsels for the respondents.

3. Looking to the facts and circumstances of the case, it appears that the main grievance of this petitioner is for the removal of the garbage and prevent collection of sewer water in the pond and area adjacent to Government Boys Senior Secondary School, Aya Nagar, New Delhi-110047.

4. It is also submitted by the counsel for the petitioner that permanent arrangement should be made by the respondents for collection of the garbage and removal thereof and the water body should not be contaminated by sewer water, as narrated in the prayers of this writ petition.

5. Counsel for the respondents submitted that they are performing their duties in accordance with law, more particularly, as per Solid Waste Management Rules, 2016 and as per their duties enumerated in the Delhi Municipal Corporation Act, 1957.

6. In view of the statement made by the respondents, we hereby dispose of this writ petition with an expectation that the respondents shall remove the garbage and will take care of the water body adjacent to the Government Boys Senior Secondary School, Aya Nagar, New Delhi-110047 and the respondents will perform their duties as per the provisions of the Solid Waste Management Rules, 2016 and the Delhi Municipal Corporation Act, 1957 and the Rules made thereunder. This exercise will be completed as early as possible and practicable.

7. With these observations, this writ petition is hereby disposed of. Both the pending applications also stand disposed of accordingly.

CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 14, 2019

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