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

+ **W.P.(C) 6339/2020**

DELHI DEVELOPMENT AUTHORITY Petitioner

Through: Mr. Rajiv Bansal, Senior Advocate
with Ms. Cauveri Birbal, Advocate.

versus

DELHI JAL BOARD Respondent

Through: Mr. Sumeet Pushkarna, SC for DJB.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **14.09.2020**

The hearing was conducted through video conferencing.

CM APPL. 22501/2020 (exemption)

1. Allowed, subject to all just exceptions
2. The application stands disposed-off.

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3. Issue notice.
4. The learned Standing Counsel named above accepts notice on behalf of the respondent-Delhi Jal Board.
5. The petitioner seeks the following relief:

*“i. Issue a Writ of Mandamus or any other appropriate writ in the matter directing Delhi Jal Board/Respondent to supply piped potable water at 852 + 362 HIG/MIG/LIG Housing Scheme, Vasant Kunj on Mehrauli Mahipalpur Road;
....”*

6. It is the petitioner's case that Rs.5,72,18,326/- was paid to the Delhi Jal Board for *"water supply scheme in respect of 852 + 362 HIG/MIG/LIG Housing Scheme at Vasant Kunj on Mehrauli Mahipalpur Road, Delhi"*.
7. Mr. Sumeet Pushkarna, the learned Standing Counsel for the DJB submits that, these monies were towards pro-rata infrastructure charges, to enable the DJB to initiate development of the peripheral water supply system i.e. to reach water upto a designated delivery point for the colony builder; the internal development and laying of water pipelines is to be done by the DDA. On 11.09.2020, DJB has sanctioned 90,000 litres of water per day, which is being reached to the DDA by tankers and insofar as the water is being reached, the consumer-DDA cannot have any complaints whatsoever. It has already been written to the DDA. DJB submits that the occupancy rate of the DDA colony is only 11%, the current quantum of water supply is more than sufficient for the present occupants.
8. The issue primarily is whether DJB is to lay a connection from the eternal delivery point up to DDAs underground reservoir. The Court is of the view that this issue needs to be and is best resolved administratively, through the Office of the Chief Secretary, GNCTD. Therefore, let the Chief Secretary, look into the matter and endeavour to find a solution, without prejudice to the rights and contentions of the parties. Let a meeting be held in the next week at the mutual convenience of the parties.
9. Should the petitioner be aggrieved by the decision, it will be open for

it to pursue its remedies, as may be available in law.

10. The writ petition is disposed-off in terms of the above.

11. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

SEPTEMBER 14, 2020

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