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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 16.01.2020

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W.P.(C) 4044/2018

SATISH KUMAR

..... Petitioner

Through: Mr. Krishan Kumar, Adv.

versus

GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Anuj Aggarwal, ASC with
Mr. Ankit Monga, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

: D.N. PATEL, Chief Justice (Oral)

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

“a) Pass an order directing the respondent to immediately connect and complete the approx 400 meters the left out drain on Khasra No. 137 to the further existing drain as marked in the Annexure A5 from point 'A' to point 'B'.

b) Pass an order to direct the respondent to clear the huge amount of sewer water collected on Government land in Khasra No. 137 at village Jonapur, New Delhi.

c) Direct the respondent to immediately clear the garbage brought forth along with water in the said plot of land belonging to the Respondent, causing harm to the environment.

d) Direct the removal of encroachment from the said land and utilize it for appropriate construction of the drain and public purpose.

e) 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. Having heard the counsel for both sides and looking to the facts and circumstances of the case, it appears that this petitioner is in search of completion of the drainage work, disposal/removal of the sewer water/garbage/encroachment from the land as narrated in this writ petition.

3. Respondent No.1 is hereby directed to treat this writ petition as representation, and decide the representations, which are at Annexure P-4 and P-5 to the memo of this writ petition, in accordance with law, rules, regulations and Government policy applicable to the facts of the present case after giving an adequate opportunity of being heard to this petitioner.

4. If the respondent No.1 decides to take further action for completion of the work as narrated in the writ petition, the same shall be done as early as possible and practicable looking to the availability of the funds as well as priority of work pending with them.

5. With the aforesaid observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

JANUARY 16, 2020/ns