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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4519/2024

GREEN VIEW APARTMENT RESIDENT

WELFARE ASSOCIATION

.....Petitioner

Through: Mr. Vijay Pal Singh, Mr.
Sudhanshu M. Kumar & Mr.
Nandan Kumar, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.Respondents

Through: Mr. Vaibhav Agnohotri, Advocate
for DDA.

Ms. Malvi Balyan, Advocate for
Ms. Sangeeta Bharti, SC DJB.

Ms. Mehak Nakra, ASC GNCTD
with Ms. Gunjan Suyal and Mr.
Aditya Goyal, Advocates and Mr.
Narendra Kumar, AE.

Ms. Kanika Agnihotri and Mr.
Vaibhav Agnihotri, ASC for DDA
with Mr. Abhishek Das, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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09.12.2024

1. The prayers in this writ petition, filed by the Green View Apartment Resident Welfare Association – Pocket -I, Sector-1, Dwarka, New Delhi, are as follows:

“a. directing the Respondent No.1 to provide a proper Sewer connection in main sewer line over the road (in front of Sector-7, Pocket-1, Dwarka, New Delhi) as given to the 336 residents of pocket-1, Sector-1, Dwarka;

b. Directing the Respondent No. 2 to maintain cleanliness in the

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premises of the petitioner and maintain proper sewer system;

c. Directing the main Respondent No. 3 to provide clean potable water and proper drainage as well as sewer system in the premises of the petitioner society;

d. Directing the Respondent-4 stop the backflow of backside Nala so as the same does not flow into the premises of the petitioner;

e. Pass any other order or relief in favour of the Petitioners and against the Respondents, which this Hon'ble Court deems fit and proper in the fact and circumstances of the case."

2. Mr. Vijay Pal Singh, learned counsel for the petitioner, states that a provision of sewer connection has already been made.

3. The only remaining issue pressed by him is for a direction upon respondent No.4 – Irrigation and Flood Control Department ["Department"], to take action for de-silting of the drain towards the rear of the Green View Apartment to prevent backflow. He draws my attention to a status report dated 26.04.2024, filed on behalf of Delhi Jal Board ["DJB"], which states as follows:

"2. That in compliance of the aforesaid order dated 27.03.2024, it is submitted that DDA has laid the sewer line and storm water drains in the said area approximately 32 years back. There is a nallah in the backside of Pocket 1, Dwarka, New Delhi, which is maintained by the Irrigation and Flood Department i.e. Respondent No.4. The storm water drains of this pocket are connected to the aforesaid nallah. It is submitted that the nallah is not maintained properly due to which there is back flow in this pocket during the rainy season which created unhygienic conditions. The storm water drains inside the pocket are maintained by MCD i.e. Respondent No.2."

4. Ms. Mehak Nakra, learned counsel for respondent No.4, instructed by Mr. Narendra Kumar, Assistant Engineer, Irrigation and Flood Control Department, states that the Department will inspect the site within the next two weeks, and take remedial measures expeditiously.

5. Additionally, the Department is directed to appoint a Nodal Officer, so that issues of this nature can be raised administratively by the



petitioner in the event of any future occurrence of the problem. The name and telephone number of the Nodal Officer be given by learned counsel for respondent No.4 to learned counsel for the petitioner within a period of two weeks.

6. In view of the submissions of Ms. Nakra recorded above, Mr. Singh does not seek any further orders in this writ petition, which stands disposed of.

PRATEEK JALAN, J

DECEMBER 9, 2024
SS/AL/