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

+ W.P.(C) 12233/2024

SHIV KUMAR

.....Petitioner

Through: Mr. Nagender Vashisht and Mr. Atul
Varma, Advocates.

versus

GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Santosh Kumar Tripathi, SC
(Civil) with Mr. Rishabh Srivastava,
Advocate for R-1.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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06.09.2024

1. Present public interest litigation has been filed seeking directions to respondent no.1/GNCTD to fill the basement excavated and left abandoned at Plot No. PSP-6, in Sector 41, Phase-V, Rohini, Delhi.
2. Learned counsel for the petitioner states that the subject property was allotted to respondent no.2-company by the DDA to construct a 457 bed capacity Covid-19 Hospital which was to be completed on 22nd February, 2022. He states that the respondent no.2 started construction in March, 2023 and excavated a basement for the same, but subsequently abandoned the construction work leaving a huge pit-hole. He states that the said pit-hole was recently water logged and two young boys had fallen into the same and passed away. He further states that the waterlogged hole is causing great discomfort and problem to people in the area as houses are getting weakened owing to the water entering the plinth of the houses.



3. *Per contra*, learned counsel for the GNCTD, who appears on advance notice, on instructions, states that no work has started at the aforesaid plot of land allotted for construction of a Covid-19 Hospital. He states that no excavation for basement has been executed at the site of the proposed hospital and the allegations made by the petitioners are not true. He clarifies that it is a natural area for water holding.

4. Keeping in view the aforesaid as well as the fact that the respondent has no immediate plan of making use of the land in question for any particular purpose, this Court disposes of the present petition by directing the respondents to maintain and fence the area as a water body and to take other necessary precautions so that people do not accidentally fall into this water body.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 06, 2024/ssc