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

+ **W.P.(C) 841/2025, CM APPL. 4126/2025 & CM APPL. 4127/2025**

**SARVODAYA COOPERATIVE HOUSING SOCIETY LIMITED
AND ANR.**

.....Petitioners

Through: Mr. Sanjoy Ghose, Sr. Adv. with Ms.
Urvi Mohan, Mr. Mohit Garg,
Advocates (M:7718992441)

versus

**DELHI JAL BOARD, GOVT OF NCT OF DELHI
AND ORS.**

.....Respondents

Through: Mr. Lokesh Malik for Ms. Sangeeta
Bharti, SC-DJB for R-1
Mr. Divye Chugh, Ms. Priya
Wadhwa, Mr. Anel Bharadwaj, Ms.
Hazel Bharadwaj, Advocates for R-
4/IGL (M:9599940755)
Mr. K. G. Gopalakrishnan, Ms. Nisha
Mohandas, Mr. Girish Kaul, Mr.
Kunwar Raj Singh, Advocates for
PWD (M:9810813707)
Mr. Tushar Sannu, SC-MCD with
Ms. Paruni Sharma, Advocate
(M:7838992954)

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
20.05.2025**

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1. The present writ petition has been filed with prayer for directions to quash and set aside the impugned Work Order dated 21st December, 2024, issued by the respondent no. 1/Delhi Jal Board ("DJB"), in favour of respondent no. 5.



2. There is a further prayer for directions to respondent no. 1/DJB, to refrain from issuing any further tenders or work orders to respondent no. 5, or any other contractor, with respect to the scope of work of the impugned Work Order, without following due process of law.
3. Learned Senior Counsel for the petitioners submits that the impugned Work Order has been issued by the DJB without following the due procedure and the same is completely contrary to the mandatory statutory requirements of seeking consent of the owner/occupier of subject land under Section 14 of the Delhi Water Board Act, 1998, carrying out joint inspections for digging of roads as per applicable Standard Operating Procedures (“SOPs”), or otherwise seeking necessary No Objection Certificates (“NOCs”), from concerned authorities.
4. It is submitted that digging of the roads on the streets of Sarvodaya Enclave, which is a residential colony comprising about 5,000 residents, has been undertaken by the DJB, in a clandestine manner.
5. Learned Senior Counsel for the petitioners further submits that there are pre-existing planned sewerage lines of the petitioners that have been built at the cost and expense of the petitioners.
6. It is submitted that the same have been taken over by the DJB for maintenance purposes only in the year 1998, when the respondent no. 1/DJB was setup under the Delhi Water Board Act, 1998.
7. This Court notes that, in the previous order dated 07th April, 2025, this Court had recorded the statement made by learned counsel for DJB that the work in question has already been stopped.
8. Today, learned counsel for DJB submits that further work shall be carried out, only if there is a request in that regard.



9. At this stage, learned counsel for respondent no. 4/Indraprastha Gas Limited (“IGL”), submits that respondent no. 4 has no role in the present matter and they may be deleted from the array of parties.

10. Responding to the submissions made by learned counsel for DJB, learned Senior Counsel for the petitioners has handed over the photographs of the area to show that the work in question has been stopped by the DJB, however, the pipeline and the dug area, still subsists, and the same have not been removed or repaired.

11. Having heard learned counsels for the parties, with the consent of the parties, the matter is taken up for disposal.

12. This Court takes note of the submissions made before this Court that DJB has already stopped the work in question, and has undertaken that it shall commence the work only after following the due procedure and process of law, as and when request in that regard is received by the DJB.

13. Accordingly, the impugned Work Order dated 21st December, 2024, issued by the DJB, is hereby set aside. It is directed that, in future, whenever the DJB has any plan for laying down sewer lines in the area in question, the DJB shall follow the due process of law.

14. Further, DJB shall also take into account the objections and submissions of the petitioners herein. In case, in future, there is any proposal for carrying out such work by the DJB in the area, the petitioners herein shall be duly intimated and they shall be granted an opportunity of personal hearing.

15. It is further directed that the particular area which is lying dug-up in the area in question, shall be forthwith restored to its original position.

16. The concerned authorities shall ensure that the road and area, which is



lying dug-up, is filled up and the road is constructed.

17. The aforesaid act of restoring the dug up area to its original position shall be carried out by the concerned authorities, within a period of six weeks from today.

18. Accordingly, the present writ petition, along with pending applications, is disposed of, in view of the aforesaid directions.

MINI PUSHKARNA, J.

MAY 20, 2025/au