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

+ **W.P.(C) 17308/2024 and CM APPL. 73669/2024**

SADRUDDIN

.....Petitioner

Through: Mr. Zahid Hanief and Ms. Sonu Lohia, Advocates.

versus

DELHI JAL BOARD AND ORS

.....Respondents

Through: Mr. Lokesh Malik and Ms. Manya Sharma, Advocates for Ms. Sangeeta Bharti, Standing Counsel for Respondent No.1/DJB.

Mr. Ahsas Hussain, Mr. Raj Kumar and Mr. Nitin Singh Kathayat, Advocates for Respondents No.3 to 6.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

20.01.2025

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1. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking direction to Delhi Jal Board ('DJB') to discharge its statutory duties in accordance with law and to install an independent water connection at the premises of the Petitioner bearing Property Nos.475 and 476, Second Floor, Block F-6, Sultanpuri ('subject property').

2. Learned counsel appearing on behalf of DJB has handed over a communication dated 15.01.2025 addressed to the Petitioner intimating the documents which are required to be furnished in order to process his case for



grant of new water connection, which include copy of identity proof, proof of property ownership, no objection certificate of the owner along with a self-declaratory undertaking, as per Circular dated 05.09.2019. It is also stated in the letter that there are dues to the tune of Rs.39,991/- as on 13.12.2024 outstanding against water connection bearing K. No.5264160000 in the subject property in the name of one Sh. Basu Dev, who allegedly owned the property prior to the Petitioner. Additionally, learned counsel for DJB submits that an application is required to be made for grant of new water connection, which has not been made by the Petitioner till date.

3. Learned counsel for the Petitioner, on instructions, states that application for installation of a new water connection will be submitted to the DJB within two weeks from today along with copy of identity proof as also document(s) indicating that he is in occupation of the subject premises to the extent of his share, as a suit is pending between the Petitioner herein and his brothers in the Trial Court wherein Petitioner has claimed partition of the subject property. It is also submitted that insofar as independent water connection is concerned, there is no impediment in installation by DJB and the insistence on 'No Objection Certificate' is incorrect inasmuch as his brothers living in part of the subject property have given a statement before the Court on 10.02.2023 in suit bearing CS DJ No. 47/2023 titled *Sadrudin v. Qutabidin*, that they are ready to get separate water connection installed for usage of the Petitioner herein and taking on record the statement, Court has directed that parties shall not create any obstruction for the officials of DJB or the plumber during installation of the connection. On instructions, it is further submitted that Petitioner is ready and willing to pay his 1/3rd share of the outstanding arrears from an amount of Rs.39,991/-.



4. In view of the respective stands of the parties, Petitioner shall make an application with DJB for the new water connection and furnish the required documents viz. identity proof, proof of occupancy of the premises in question, order passed by the Civil Court in CS DJ No. 47/2023 titled *Sadrudin v. Qutabidin*, wherein Defendants have undertaken not to create any obstruction in installation of the water connection in favour of the Petitioner, within a period of two weeks from today. Additionally, Petitioner will deposit his share of the outstanding arrears as claimed by DJB in its communication dated 15.01.2025 and also furnish a self-declaratory undertaking as per Circular dated 06.10.2020/applicable rules. On receipt of the application, documents and the deposit, case of the Petitioner will be processed by DJB for installing the new and independent water connection in the subject property. The exercise will be completed expeditiously and not later than three weeks from the date of receipt of complete documents and deposit from the Petitioner. Needless to state in case of any further or surviving grievance, Petitioner will be at liberty to seek recourse to legal remedies.

5. Writ petition along with pending application stands disposed of in the aforesaid terms.

JYOTI SINGH, J

JANUARY 20, 2025

B.S. Rohella/shivam