



\$~41

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

+ **W.P.(C) 231/2024 and CM APPL. 1054/2024**

RAJAN BHATIA

.....Petitioner

Through: **Mr. Gaurav Raghav, Adv.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Shoumendu Mukherji Senior Panel Counsel with Mr Aniruddha Ghosh Ms Surabhi Tuli, Advs for R-1.**

Ms. Purnima Maheshwari advocate with Mr. Mukul Aryan, Advs for R-2. Mr Akshay Makhija, Sr Adv with Mr. Kunal Kalra, Adv and Mr Shekhar Gupta law officer BPCL R-3.

Mr. Mohit Sharma, Adv for R-4.

Mr. Tushar Sannu, standing counsel along with Ms. Shambhavi vatsa, Advocate for R-5.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

%

29.01.2026

1. The petitioner claims to occupy a rear site flat located at 1st Floor at a building at 3B/6 Asaf Ali Road, New Delhi – 110002. The petitioner submits that the building on its left adjoins a petrol pump (Raizada Motors).



It is submitted that a Compressed Natural Gas (CNG) station has been added and is being modified/ expanded within the same limited premises with respondent no.2- Indraprastha Gas Ltd. (IGL). The petitioner further submits that CNG station with elevated structure to store multiple CNG cylinders is being constructed within the Petrol Pump. It is, thus, stated that all the actions are being done without due approval of the government authorities and causing unbearable problem/nuisance to the petitioner.

2. The respondents in their counter-affidavit have stated that the CNG station is operating strictly as per Petroleum and Explosives Safety Organization (PESO) approved layout, valid licenses and Gas Cylinders Rules, 2016. The upgrade to 1200 scmh compressor, an elevated cascade is lawful and maintains all mandatory safety distances. It uses PESO certified equipments and causes no hazards.

3. Having considered the submissions and the documents placed on record, the Court finds that the nature of directions which the petitioner is seeking may not be effectively granted by this Court. The submissions made by the petitioner will require adjudication, on the basis of oral and documentary evidence. The Writ Court, therefore, would not prefer to undertake such exercise, more importantly when the facts are highly disputed.

4. If the petitioner has any grievance with respect to the alleged nuisance, the remedy would lie under Section 152 of the Bharatiya Nagrik Suraksha Sanhita, 2023. If the petitioner claims violation of any easementary rights, in that case as well, he will have to institute a properly constituted suit.

5. Having granted the aforesaid liberty, the petition, along with pending



application, stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 29, 2026/aks/mj