



\$~72

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

+ **W.P.(C) 5367/2026**

SOCIAL JURIST, A CIVIL RIGHTS GROUPPetitioner

Through: Mr. Ashok Agarwal, Mr. Satyakam,
Mr. Kumar Utkarsh, Ms. Ashna Khan
& Mr. Rehan Ghalib, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

AND ORS

.....Respondents

Through: Mr. Shivam Sachdeva & Mr. Yash
Agrawal, Advocates for Respondent
No.1/ Municipal Corporation of
Delhi.

Ms. Prabhsahay Kaur- Standing
Counsel along with Ms. Aryma
Sharma & Mr. Aditya Verma,
Advocates for Respondent No.2/Delhi
Development Authority.

Ms. Harshita Nathrani, Advocate for
Mr. Sameer Vashisht- Standing
Counsel (Civil) for Respondent
No.3/GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

%

22.04.2026

1. Heard the learned Counsel for the Petitioner as well as learned Counsel representing Respondent No. 1 / Municipal Corporation of Delhi (“MCD”), Respondent No. 2 / Delhi Development Authority (“DDA”) and Respondent No. 3 / Government of NCT of Delhi (“GNCTD”).

2. This Public Interest Litigation Petition has been filed with a prayer to remove an unauthorized dumping ground situated outside the gate of Government schools, namely, SKV / SBV at PSP-10, Industrial Area,



Rohini Phase-V, Kirari, Delhi – 110 086.

3. The learned Counsel representing MCD has produced certain photographs which depict that some cleanliness drive was undertaken by the MCD on 16.04.2026. The photographs furnished by learned Counsel representing MCD are taken on record.

4. The learned Counsel representing MCD has also stated that in fact the land belongs to DDA and, therefore, it is the responsibility of the DDA to maintain the cleanliness of the ground. However, the said statement is being refuted by learned Counsel for DDA citing Sections 350, 351 and 352 of the Delhi Municipal Corporation Act, 1957. It has been stated in this regard that in fact the responsibilities is that of the MCD.

5. She has also brought to our notice that the ground has been attempted to be fenced though height of which does not appear to be adequate and, therefore, the DDA is taking appropriate steps for putting a barbed fencing so as to check dumping of garbage in the ground.

6. Ms. Prabhsahay Kaur learned Standing Counsel for DDA has also tendered a letter dated 13.02.2026 written by the Executive Engineer of the area of the DDA to the SDM concerned requesting him for joint inspection and demarcation. The said letter dated 13.02.2026 is also taken on record.

7. A perusal of the said letter reveals that some dispute was raised by a public representative while construction of the boundary wall surrounding the ground was underway and it was claimed that the site falls under the jurisdiction of the Irrigation and Flood Control Department of Government of NCT of Delhi.

8. In the aforesaid view of the matter, we direct that the SDM concerned shall demarcate the parcel of land in question within ten days and facilitate



erection of boundary wall on all sides of the plot with adequate height.

9. We also direct that a meeting of Executive Engineer concerned of the DDA and an appropriate Level Officer of the MCD shall take place within a week to sort out the issue relating to cleanliness of the ground.

10. We further direct that demarcation of the plot in question shall be completed within ten days from today and once the demarcation is completed, the DDA shall erect the boundary wall and in case of any difficulty faced by the DDA in erection of the boundary wall, it shall be lawful for the DDA to seek help of the Local Police.

11. We further direct that if any such request is made by the DDA, the immediate Police help shall be provided by the SHO concerned which shall be his personal responsibility.

12. We also direct that it shall be the responsibility of the MCD to ensure that no garbage is dumped in front and in the vicinity of the school and all requisite measures and steps shall be taken by the MCD for the said purpose.

13. We also observe that it shall be the personal responsibility of the concerned officers of the MCD, DDA and the GNCTD including the SDM concerned to ensure compliance of this order with expedition and any laxity on the part of the officers shall be viewed seriously which may even entails proceedings of Contempt of Court.

14. The Writ Petition stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

APRIL 22, 2026/ 'A'