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

% ***Date of Decision: November 02nd, 2026***

\# **CNR No. DLHC010497572026**

\+ **W.P.(C) 15273/2026 & CM APPL. 71698/2026**

SATBIR SINGH & ORS. .....Petitioners

Through: Mr. Madan Lal Sharma, Advocate.

versus

PUBLIC WORKS DEPARTMENT & ANR. .....Respondents

Through: Mr. Sumit K. Batra, Advocate for GNCTD.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By way of the present petition, the petitioner seeks the following prayers:

> *"(a) A Writ of Mandamus or such other writ order or directions in the like nature, thereby commanding the respondents from constructing or resurfacing the existing main Najafgarh-Dhansa road at Village Mitraon, Delhi by adding/laying 20 inches concrete RCC layer over the existing main road and may be directed to construct/resurface the main road at village Mitraon by scraping and milling the old road and maintain the same road level as existing on the date;*
> *(b) Appropriate writ orders or directions thereby directing the respondents to produce the complete record of the proposed work of reconstruction/resurfacing of main Najafgarh-Dhansa road including at Village Mitraon, Najafgarh, Delhi including the tender, award of work to the contractor and such other documents indicating the nature and scope of the proposed reconstruction/ resurfacing of the said road;*
> *(c) Any other writ order or directions which this hon'ble court deems fit and proper in the circumstanct:s of the case."*

2. It is essentially the grievance of the petitioners, who are some of the residents of Village Mitraon, Delhi, that the respondents are

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proposing to reconstruct and resurface the main Najafgarh-Dhansa Road, including Village Mitraon by laying an additional 20-inch RCC concrete layer over the existing road, without first milling or removing the existing surface. It is contended that such an increase in the road level would result in the residential houses of the petitioners being situated below the road level, thereby causing water logging during the monsoon, sewerage problems and unhygienic conditions.

3. A perusal of the Counter Affidavit of Respondent No.1, in the opinion of this Court, makes it apparent that the apprehensions of the petitioner are misconceived. Respondent No.1 has contended before this Court that the proposed reconstruction of the said road is supported by the pavement design and recommendations prepared by Netaji Subhas University of Technology ('NSUT'), which specifically prescribes a cement-concrete pavement structure comprising Wet Mix Macadam, Dry Lean Concrete and Pavement Quality Concrete for the Khaira Modh- Mitraon Village stretch.

4. The petitioners' insistence on cold milling the existing road before reconstruction cannot be heeded to, as it is stated that the proposed work involves construction of a cement-concrete road in accordance with the technical specifications and engineering requirements prescribed by NSUT. The reconstruction of the road is being done in accordance with expert opinions and the petitioner cannot dictate whether the same would be appropriate in a given case.

5. The apprehension of the petitioners regarding water logging and rainwater entering their residential premises is also unfounded, particularly since it has been submitted before this Court that the

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subject project is not confined merely to the reconstruction of the road but also involves substantial improvement of the adjoining drainage infrastructure. It is stated that a separate contract amounting to approximately ₹37.48 crore has already been awarded for the same.

6. It is stated that the proposed road has been designed with an appropriate camber and slope towards the drains on either side, which would facilitate the natural flow of rainwater into the drains and its subsequent discharge through pumping stations situated approximately 300 metres in either direction. It is further stated that the proposed adjustment in road level is necessary to maintain proper coordination between the road profile and the adjoining drainage infrastructure.

7. Thus, it is apparent that no prejudice would be caused to the petitioners if the road level is increased pursuant to the subject road being reconstructed.

8. In view of the above, this Court finds no grounds to exercise its extraordinary writ jurisdiction in the present matter.

9. The present petition is accordingly dismissed.

AMIT MAHAJAN, J

NOVEMBER 2, 2026

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