



2026:DHC:1699



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11527/2024, CM APPL. 47814/2024, CM APPL. 59475/2024, CM APPL. 58646/2025 & CM APPL. 58647/2025Date of Decision: **20.02.2026****IN THE MATTER OF:****RAJAN**

.....Petitioner

Through: Mr. Rajat Gupta, Adv.

versus

**DELHI POLLUTION CONTROL COMMITTEE (DPCC) AND
ORS**

.....Respondents

Through: Mr. Nishant Gautam CGSC with Ms. Kavya Shukla, Mr. Vineet Negi, Mr. Naman Sharma and Ms. Theresa Advs.
Mr. Ajay Vikram Singh, Ms. Priyanka Singh and M. Aamir Faiyaz, Advs.**CORAM:****HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****JUDGEMENT****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petitioner seems to be aggrieved by the inaction on the part of respondent nos.1 to 6 and 8 in their purported failure to restrict or curb the alleged illegal activities of respondent no.7 on their premises. It is his case that the groundwater is being illegally extracted, pollutants are being emitted from the use of generators to provide electricity for the purpose of playing

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loud music beyond the permitted time in the residential area.

2. The aforesaid conduct, according to the petitioner, is causing violations to peaceful life (Article 21 of the Constitution of India). If the provisions of Section 152 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ['BNSS'] are considered, such a grievance can be considered by the Executive Magistrate.

3. This Court has considered the aspect of nuisance caused by music being played beyond the permissible limit in *Tarikha Rekhi v. Union of India*,¹ and has granted the petitioner liberty to approach the Executive Magistrate for redressal of the grievance under Section 152 of the BNSS.

4. Having considered the overall conspectus of the facts and situations, this case also deserves to be disposed of with the following directions:

- i. Let the petitioner to approach the Executive Magistrate under Section 152 of the BNSS within 15 days from today.
 - ii. If the petitioner does so, let his grievance be considered in accordance with law, and an appropriate order shall be passed by the concerned authority.
5. All rights and contentions are left open.

PURUSHAINDRA KUMAR KAURAV, J
FEBRUARY 20, 2026/P/AMG

¹ 2026:DHC:1456