



\$~6

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

CM APPL. 21928/2026

IN

+ **W.P.(C) 17917/2024**

RESIDENTIAL WELFARE ASSOCIATION RWAPetitioner

Through: Ms. Urvashi Singh and Mr. Lalit Kumar, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Manu Chaturvedi, Standing Counsel for MCD with Mr. Kshitiz Kishor Rai, Advocate for MCD (*through VC*).

Mr. Tushar Sannu and Mr. Parvin Bansal, Advocates for DJB.

Ms. Kamna Singh, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

%

18.05.2026

CM APPL. 21928/2026 (early hearing)

1. The present application has been filed on behalf of the petitioner seeking early hearing of the present writ petition.
2. For the reasons stated in the application, the application is allowed.
3. The petition is taken up for hearing today itself.
4. The application stands disposed of accordingly.

W.P.(C) 17917/2024

5. The grievance of the petitioner is that the respondent no.2/ DJB has



put locks on the gates of the public park at 06 Block Park, South Patel Nagar ('subject site') on account of which the residents of the area are unable to access the same.

6. It is submitted that the respondent no.2/ DJB has wrongly taken a stand that there is no public park in the said area.

7. In the status report filed on behalf of the respondent no.3/ MCD on 27th January, 2025, it has specifically been stated that the subject site is included in the list of parks falling under the jurisdiction of the Horticulture Department, Karol Bagh Zone, MCD. It is also stated that the gates of the said public park have been blocked by the respondent no.2/ DJB. The relevant extracts from the said status report is set out below:

3. That as per available records, the 06 Block Park, South Patel Nagar ('**park**') is included in the list of parks falling under the jurisdiction of the Horticulture Department, Karol Bagh Zone, MCD. The park is approximately 0.246 acres in size, with a boundary on all sides. In the park, there exists Delhi Jal Board's booster Pump, along with two rooms and one bathroom.

4. That access to the park has not been blocked by answering Respondent MCD, but by Delhi Jal Board (which is also the case of the Petitioner, as recorded in this Hon'ble Court's order dt. 24.12.2024).

8. In the status report filed on behalf of the respondent no.2/ DJB on 24th January, 2025, it is stated that the water reservoir has been in operation at the subject site for more than 15 years. It is further stated that there has never been a park at the subject site where the reservoir is located. The locks were put on the gates in order to protect the reservoir located at the subject



site, which is under the supervision of DJB. The said status report also states that the water reservoir at the subject site is a Underground Reservoir (UGR) which is connected to a Booster Pumping Station, which is located next to the water reservoir. The relevant extracts from the said status report is set out below:

5. It is stated for record that DJB has not made any construction at the site and the water reservoir has been existing for more than 15 years as can be seen from the Order dated 19.07.2023 extracted hereinabove.
6. It is further submitted that there has never been any park at the subject site where the water reservoir is located. The subject site is under the supervision and control of DJB and is protected by a gate with a lock. The petitioner has no permission from MCD to plant any trees at the subject site.
8. It is further pertinent to note that the said water reservoir at the site is a Underground Reservoir (UGR) which is cemented from the top and there are many pipes underground, which are connected to the Booster Pumping Station. There is also a Booster Pumping Station located next to the UGR. Copies of the photographs of the subject site are annexed hereto as Annexure-R (Colly). Therefore, there is no question of converting this area into a park as the same would hamper the functioning of the water reservoir, which supplies potable drinking water. The petition being misconceived is liable to be dismissed by this Hon'ble Court.
9. Pursuant to the orders passed by this Court on 24th March, 2025 and 22nd April, 2025, the respondent no.3/ MCD was directed to place on record the layout plan of the area.
10. From the layout plan filed on behalf of the respondent no.3/ MCD along with the status report, it is clear that the subject site is in the nature of a public park.
11. In view thereof, there is no reason at all why the locks should be put



on the gates of the public park and the residents of the area be denied access to the said public park.

12. Accordingly, a direction is issued to the respondent no.2/ DJB to remove the locks on the gates of the public park within one (1) week from today.

13. Counsel for the petitioner submits that they have no objection to the underground water reservoir and the booster pumping station operated and maintained by the respondent no.2/ DJB at the public park.

14. In view of the above, the present writ petition stands disposed of.

15. The date already fixed before the Court on 29th July, 2026 stands cancelled.

AMIT BANSAL, J

MAY 18, 2026

Rzu