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

Date of Decision: 9th October, 2025

+ **W.P.(C) 13190/2024, CM APPLs. 22480/2025, 22482/2025 & 45268/2025**

MAHARANI BAGH CO-OPERATIVE HOUSE BUILDING AND WELFARE SOCIETY LTD., & ANR.Petitioners

Through: Mr. A.N. Haksar, Sr. Adv. with Mr. Udayan Jain & Mr. Ranjan Mishra, Advs. (M:8858974684)

versus

UNION OF INDIA& ORS.Respondents

Through: Ms. Prabhsahay Kaur, SC, DDA with Ms. Deeksha L Kakar (Panel Lawyer), Ms. Kavya Shukla, Mr. Aditya Verma, Mr. Rashneet Singh & Ms. Sana Parveen, Advs. (8858999883)

Officers Present: Durga Prasad (EE Engineering, DDA) Nipun (AE Engineering, DDA) Rahul Saroha (AD Horticulture, DDA)

Mr. Dhruv Rohatgi, Panel Counsel (Civil), GNCTD with Mrs. Chandrika Sachdev, Mr. Dhruv Kumar, Advs. (9891558131)

Mr. Ratnaker Pandey, AE, PWD, Mr. Santosh Meena, AE, PWD with Mr. Anil, Chairman, STF. (M: 9643400939)

Mr. Tushar Sannu, SC, MCD, Mr. Vishal, Mr. F. Rehman, Advs. with Officers: Mr. Kamal Yadav and Mr. Sudhir Raj,

Mr. Amit Gupta, Mr. Vidur Dwivedi, Mr. Atik Gill & Mr. Varun Singh Rawal, Advs. for Union of India.



Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar & Mr.
Amit Kumar Rana, Advs. (M:
8178303621)
Mr. Gautam Dhamija, Adv. for R-5.
(M: 9899809187)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MANMEET PRITAM SINGH ARORA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. *Vide* order dated 26th September, 2025, this Court directed as under:

“10. In view of the submissions made today that the feasibility of the drain would have to be re-worked. Mr. Ratnaker Pandey, Mr. B.K. Shah and a senior official from the Delhi Jal Board (hereinafter, ‘DJB’) shall hold a meeting on 29th September 2025 at 11:00 A.M. in the Community Centre of Maharani Bagh colony, in order to study the entire area and to ensure that the bell mouth water is carried to the Taimoor Nagar drain. Mr. Udyan Jain. Id. Counsel for the Petitioner, shall collect the contact numbers of all the officials so that the meeting can be convened on 29th September 2025 at 11:00 A.M. The three authorities i.e., PWD, MCD and DJB along with the residents of the Maharani Bagh colony shall meet and a report shall be put up in this regard before the Court before the next date of hearing.

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12. Accordingly, when the meeting takes place on 29th September 2025 in the Community Centre of Maharani Bagh colony, the MCD shall explore a permanent solution for facilitating the cleaning of these drains and covering of the same after cleaning so that on each and every occasion no damage is caused to the



park or the greenery in the area. This solution shall also be placed before the Court on the next date of hearing.

13. In the meantime, temporary coverage of the drains shall also be urgently done by the MCD.”

3. Accordingly, pursuant to the above order dated 26th September, 2025, meetings have been held on 29th September, 2025 and 3rd October, 2025. Today, the minutes of the said meetings have been placed before the Court. The same are taken on record. On the basis of the said minutes, the report dated 6th October, 2025 has been filed by the Public Works Department (hereinafter, ‘PWD’) in which it has finally been agreed as under:

“A-Ring Road, Maharani Bagh side (along North Boundary).

Observations:

- *There is chronic and persistent problem of water accumulation on Ring Road near Maharani Bagh, causing traffic disruptions.*
- *Construction of Storm water drain parallel to boundary wall inside maharani bagh on Road 'A' is not feasible as DJB Sewer Line exists on this stretch parallel to boundary wall which is at distance of 1.30m from boundary wall. The outer dia of the manhole of this sewer line is 2.70m which makes it extremely close to the boundary wall. In these circumstances it is not feasible to construct a storm water drain as it may cause the collapse of the boundary wall itself.*
- *Outer side on Ring road, Storm water drain underneath of the footpath is also not feasible due to the existing old and grown up trees of large girth. Storm water drain is also not feasible on the stretch where underground Metro Station exists.*



- At present, to drain off the storm water from this stretch bell mouths were already there since many years. Through these bell mouths storm water used to drain off to the MCD drain which runs parallel to Ring Road and around 3 ft. below the level of Ring Road. MCD storm water drain/drains of this area discharge their flow in to the Taimur Nagar Nallah.

Actions/Solutions Discussed:

- As desired by the Maharani Bagh RWA the existing bell mouths have been closed by the PWD.
- PWD has suggested an alternative proposal to drain off the storm water from this stretch of Ring Road, which consist of provision of profile correction of the carriage way in a manner so that there is no collection of the storm water on Maharani Baghside and taking it to the PWD storm water drain on opposite side of Maharani Bagh towards Siddhartha Enclave through cross drainage.
- For gate no.-2 at Ring road the catch drain with perforated cover will be provided across Gate No.2 to catch the run off and the same will be channelized to the existing drain of MCD inside colony as discussed in the meeting.

B- Gate No.1 Mathura Road(along North Boundary).

Observations:

- It was pointed out that during rains surface water comes from Mathura Road to Maharani Bagh through Gate No.1.

Actions/Solutions Discussed:

- Water will be channelized in to the storm water drain of Mathura Road by constructing a catch drain with



concrete grating and raising the entry road top at the entrance of the Gate No.1 with the level of PWD Road.

C- Gate No.3,4 and 5 Maharani Bagh at C.V. Raman Marg(along North Boundary).

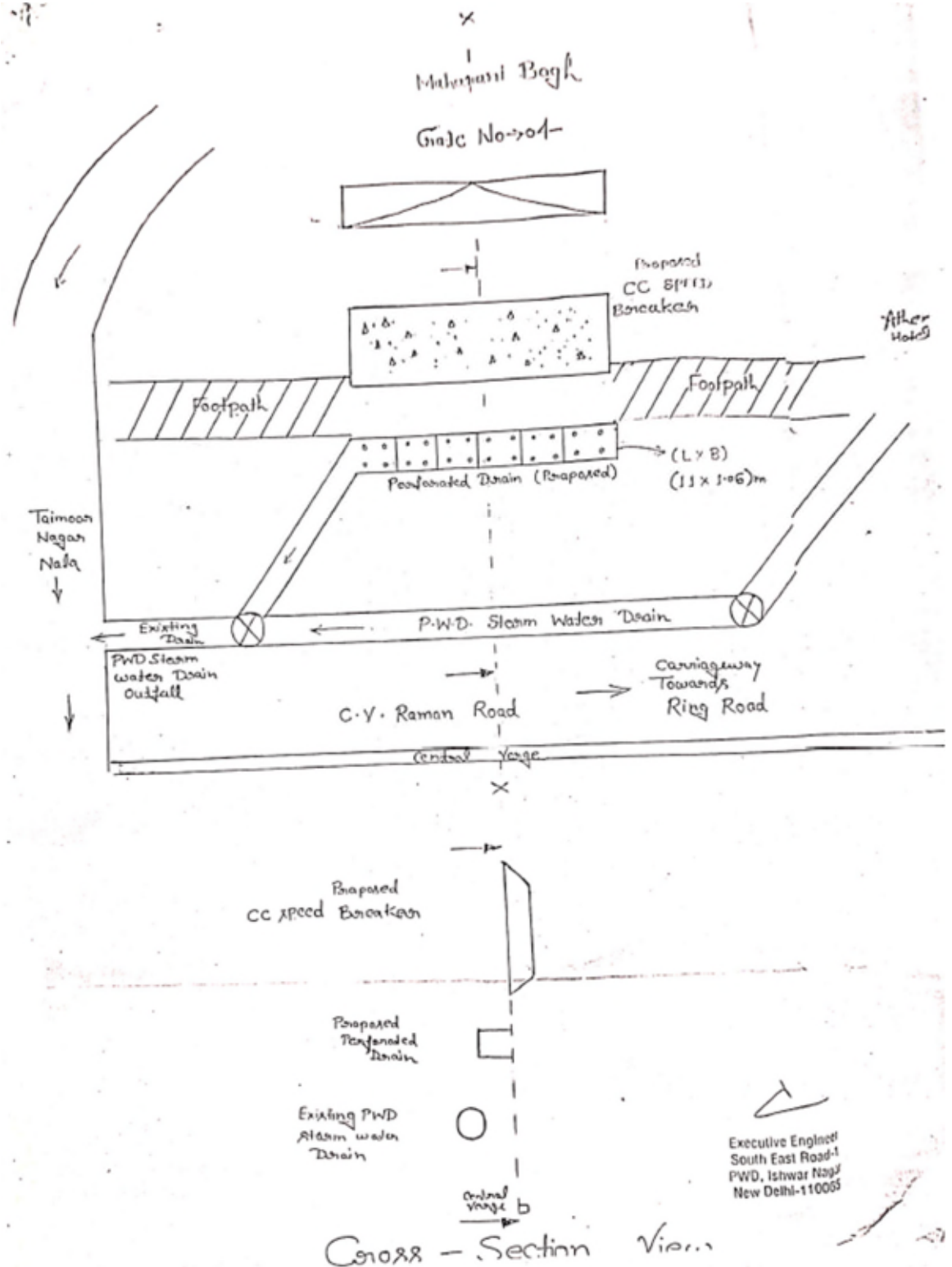
Observations:

- *It was pointed out that during rains surface water comes from C.V. Raman Marg to Maharani Bagh to three Gates mentioned above.*

Actions/Solutions Discussed:

- *Water will be trapped and channelized in to the storm water drain of C.V. Raman Marg by constructing catch drain with concrete gratings and table top structures across the Gate No. 3,4 & 5.*
- *The work can not be started simultaneously at all entry gates as traffic movement will be hindered, drain work can only be started on a maximum of 2 entry gate.*
- *At, gate no. 4 on CV Raman marg the perforated drain has been completed and at gate no. 3 & 5 work is in progress.*
- *Further, remaining entry gate no. 1&2 of Maharani bagh colony and entry gate of House no. A-3,A-6 & A-9 will be completed by 15 October 2025.”*

4. The Court has heard Mr. Santosh Meena, Assistant Engineer, PWD and Mr. Ratnaker Pandey, Assistant Engineer, PWD. Mr. Santosh Meena has pointed to the Court a sketch that has been placed along with the said report dated 6th October, 2025 in respect of how perforated drains are being created near each of the gates of Maharani Bagh colony so as to catch the run-off water, prevent it from entering the colony and divert it to the PWD storm water drain. The said sketch is also extracted below:



5. Mr. Dhruv Rohatgi, Id. Counsel for the Government of National



Capital Territory of Delhi (hereinafter, 'GNCTD') submits that in respect of four gates at the Maharani Bagh Colony, the perforated drains are already under construction. There are a total of five gates in the Maharani Bagh Colony. He submits that the work at all the gates of the Maharani Bagh Colony is likely to be completed by 15th October, 2025. Accordingly, let a further status report be filed by the PWD along with photographs of the actual perforated drains which have been created by the next date of hearing.

6. Moreover, on any rainy day, the flow of run-off water shall be monitored by the PWD and a report in this regard confirming that no waterlogging is now taking place in Maharani Bagh Colony shall also be filed by the next date of hearing.

7. Insofar as the gradient on the Ring Road is concerned, it has been explained to the Court that the gradient would be rectified in such a manner that the water does not flow into Maharani Bagh Colony but would be connected to the storm water drain across the road towards Siddhartha Enclave.

8. Let the said work also be carried out on an urgent basis. The Court has also been informed by Mr. Ratnaker Pandey, AE, PWD that presently there is a tender which has been floated in respect of the maintenance work of the Ring Road, including laying of tarmac and this work would be included in the same. Let a further status report giving the timelines in respect of the same be placed on record by the next date of hearing.

9. With respect to the drains within the colony, it is made clear that any work including closing of drains etc., which may be carried out by the PWD shall be permitted to be carried out by the residents of the Maharani Bagh Colony without creating any objection or impediment, so long as the PWD



performs the said work without adversely affecting the ingress and egress of residents to their homes.

10. Insofar as the Fixed Compactor Transfer Station (hereinafter, '*FCTS*') is concerned, a joint inspection was conducted by the Delhi Development Authority (hereinafter, '*DDA*') and Municipal Corporation of Delhi (hereinafter, '*MCD*') on 3rd October 2025. Accordingly, DDA has handed over the land measuring 2,000 sq. mt. to the MCD on 8th October, 2025. Let the DDA place on record an affidavit to this effect by the next date of hearing.

11. The DDA has categorically stated that the land which has now been given to the MCD for the FTCS has not been given to the National Highways Authority of India (hereinafter, '*NHAI*') and, therefore, NHAI officials or any other agency shall not cause any hindrance in the construction of the FTCS.

12. On behalf of the MCD, Mr. Sudhir Raj Singh, Executive Engineer, Project Central Zone is present and he submits that a tender was earlier awarded for the earlier site of FCTS and the contractor was finalised. The same contractor would now proceed to set up the FCTS for the present site. In view of the oncoming winter he prays for three months to be granted to finalising and bring the FTCS into a working station.

13. However, this Court is of the opinion that FTCS also plays a major role in environmental pollution and, therefore, the FTCS work ought not to be stopped and shall be carried out urgently within a maximum period of six weeks. The Station House Officer of the concerned area shall ensure that the public do not cause any hindrance in the construction of the FCTS. If required, the Deputy Commissioner of Police of the concerned area shall



extend all cooperation to the MCD for construction of the FTCS. It is made clear that the contractor concerned shall give top priority to this FTCS and shall also remain physically present in Court to report on the status on the next date of hearing.

14. List on 3rd December, 2025 at 4:00 P.M.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

OCTOBER 09, 2025
dj/ck