$~2(SDB)

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

Date of decision: 20th November, 2026

Uploaded on: 23rd November, 2026

\# **CNR No. DLHC010914712024**

\+ **W.P.(C) 17064/2024**

RAVINDER YADAV .....Petitioner

Through: None.

Versus

GOVT. OF NCT OF DELHI & ORS. .....Respondents

Through: Mr. Dhruv Rohatgi, Panel Counsel (Civil), GNCTD with Mr. Dhruv Kumar and Mrs Chandrika Sachdev, Advocates.
Mr. Manu Chaturvedi, Standing Counsel for MCD with Mr. Anshul Butani, Adv.
Mr Tushar Sannu, SC, DJB, Ms Rajbala, Ms Payal Rajput, Mr Shrey Bhardwaj, Advocates with Mr Manoj from DJB Department.

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 30th June, 2026, this Court directed as under:

> *"9. Mr. Dhruv Rohatgi, ld. Counsel submits that the work of the I&FCD commences from the end point where the road of the Public Works Department (hereinafter, 'PWD') ends in the said area and the I&FCD has already commenced its work, in respect*

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whereof photographs have been placed on record.

10. Insofar as the road of the PWD is concerned, Mr. Manish Singh, Executive Engineer, PWD is present in Court and submits that the tender has been floated for the construction of the drain in this area. On being questioned as to why there has been so much delay from the last monsoon, he submits that the specifications had to be finalised and there was delay in receiving sanction. Mr. Singh submits that the tender has now been opened and the technical bid has also been opened.

11. It is completely unacceptable to the Court that despite the issue having remained pending for the last two years, the tender is stated to have been floated only now and even the said tender is yet to be finalised. The monsoon has already commenced, and the construction of the drain by the I&FCD in the further area would serve no meaningful purpose if the contiguous area does not have any drain. Mr. Dinesh Prakash, Assistant Engineer and Mr. Krishan Gopal Meena, Executive Engineer from the PWD who are not present in Court today shall file personal affidavits by the next date of hearing explaining the following:-

> *i) The timeline for construction of the drain;*
> *ii) Reasons for the delay; and*
> *iii) As to whether there is co-ordination with the I&FCD so that there is continuation in the water flow in the drain as well.*

12. Mr. Dinesh Prakash, Assistant Engineer and Mr. Krishan Gopal Meena, Executive Engineer from the PWD shall also be personally present on the next date of hearing."

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3. A status report has been filed by the Irrigation and Flood Control Department (hereinafter, *'I&FCD'*). As per the same, the construction of the 1,720 metre long road along with drains on both sides in the Najafgarh area has been completed.

4. Insofar as the Public Works Department (hereinafter, *'PWD'*) is concerned, the decision for construction of the Storm Water drain in the Najafgarh area is stated to have been taken and tenders have been awarded in this regard. The details of the same are as under :

> *"5. That thereafter, a joint site assessment was carried out by the consultant along with officials of the Public Works Department and other concerned departments. Based on the field assessment, the consultant finalized and submitted the storm water drain sections. Thereafter, the drain estimates were prepared, duly scrutinized, and submitted for Administrative Approval and Expenditure Sanction (A/A & E/S) during the month of February, 2026.*

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Sr. No.	Name of Road	Name of Work	A/A & E/S received on Date	Date of start	Timeline for completion mid-September 2027
1	Najafgarh Phirani Road	Construction of Precast and RCC box type drain in place of old brick drain from surakpur mor towards dhansa stand pump and towards Nangloi stand pump and all around phirani road (Road ID: 1228) under SD-2, SWR-2, New Delhi	10/4/2026	Mid-September 2026 (Because of ongoing monsoon)	September 2027
2	Najafgarh Jharoda Road	C/o 6,75,000 L UG tank with inlet and screening chambers and laying of 1000mm DI of K9 from jharoda village to Mungeshpur drain under SD-II, SWR-II, Najafgarh	22/04/2026	22.05.2026	November-2026
3	Najafgarh Dhicou Road	Construction of Precast & RCC Box type drain in place of old brick at Dhicou road (Road ID : 1229) under SD-2, SWR-2, New Delhi	11/5/2026	Mid-September 2026 (Because of ongoing monsoon)	September 2027
4	Najafgarh Dhansa Road	Construction of Precast & RCC Box type drain in place of old brick at Najafgarh Dhansa road (Road ID : 1227) under SD-2, SWR-2, New Delhi	29/05/2026	Mid-September 2026 (Because of ongoing monsoon)	September 2027
5	Najafgarh Jharoda Road	Construction of Precast & RCC Box type drain in place of old brick from Anaj Mandi to Mungeshpur drain at Najafgarh Bhadurgarh road under SD-2, SWR-2, New Delhi (ID -1231)	9/7/2026	Mid-September 2026 (Because of ongoing monsoon)	September 2027

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5. As per the affidavit of PWD, the completion of the different stretches of drains has different timelines. Accordingly, let an updated status report be filed by the PWD by the next date of hearing, especially in the case of Najafgarh-Jharoda Road which has a timeline for completion of November, 2026.

6. Further, from the photographs which have been filed on record, it also appears that some of the shopkeepers are encroaching on the newly constructed drain and putting up their goods such as soft drinks shelves, furniture, equipment, etc. Two such images are extracted below:



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7. Such encroachment on the drain would again result in clogging and proper de-silting would not be possible. The drain has been got constructed after constant supervision and directions by this Court. If encroachment is permitted to go unchecked, there is a possibility of the area reverting to the earlier position with severe water logging. It is directed that the IFC&D and all other authorities shall ensure there is no encroachment on the drain. Anyone found to violate this direction shall be liable for strict action. Insofar

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as these two shopkeepers are concerned, it is directed that the I&FCD shall identify the said two shopkeepers and they shall be fined a sum of Rs.20,000/- each to be paid to the Delhi High Court Staff Welfare Fund. The details of the same are as under:

Name of Account:- Delhi High Court Staff Welfare Fund

Account No:- 15530110074442

Bank: - UCO Bank, Delhi High Court

8. The proof of deposit of costs by the said two shopkeepers shall be placed on record by the next date of hearing. If the said shopkeepers do not pay the costs of Rs. 20,000/-, notice shall be served to them for appearance on the next date of hearing.

9. In addition, the I&FCD shall sensitize the shopkeepers and all the residences in the area that any encroachment on the drain would attract severe and stringent action and high penalties.

10. List on 28th January, 2027.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

NOVEMBER 20, 2026
Rahul/Ck

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