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

Date of Decision: 25th September, 2026

Uploaded on: 29th September, 2026

CNR No. DLHC011815012018

+ **W.P.(C) 7594/2018 & CM APPLs.30022/2018, 41886/2024
42188/2024, 42189/2024, 47142/2024, 48597/2024, 57187/2024,
62545/2024, 69901/2024, 4825/2026, 35797/2026, 56748/2026,
56882/2026**

COURT ON ITS OWN MOTION

.....Petitioners

Through: Mr. Zain Haider and Mr. Tanvir Ali,
Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC with
Mr. Kushagra Kansal and Mr. Amit
Kumar Rana, Advocates for UOI.
Mr. Rajesh Yadav Sr. Advocate with
Mr. V P Rana, Adv.
Mr. Subhashhand Budhiraja, Adv.
with Mr. Rajender Parrasad Jain,
Director, MSME, Advocates.
Ms. Prabhsahay Kaur (Standing
Counsel), Ms. Deeksha L. Kakar
(Panel Lawyer), Mr. Aditya Verma,
Ms. Sana Parveen advocates with mr.
Nakul (DD, plg. DDA)
Ms. Pratima N Lakra CGSC Mr
Shailendra Kumar Mishra, Advs.
Mr. Biraja Mahapatra, Mr. Abhay
Singh Advs. along with Mr. Dinesh
Jindal, Law officer DPCC.
Mr. Sanjeev Kumar Dubey, Senior
Advocate with Ms. Yamini Sharma,



Mr. Shah Rukh Khan, Ms Meghaa Wadera and Mr. Ghanender Singh, Advocates for (MIWAS).

Mr. Varsha Banerjee, Mr. Arjun Katyal & Mr. Mahipal Singh, Advs. for DSIIDC

Ms. Ayushi Musra, Advocate.

Mr. Deevanshu Sharma Advocate for Confederation of Delhi CETPs.

Dr. S. K Goyal, Scientist G & Chair, CSIR-NEERI, Delhi Regional Centre.

Mr. Kapil Midha Adv. for (Mondhaka Udyog Nagar (south) welfare society.

Mr Tushar Sannu, Ms Rajbala, Ms Payal Rajput Advocates, for MCD and DJB.

Mr. VK singh, AE Mr. Manish Rajpa Mr. Astik Jha , AE- DJB, Mr. Rajeev Narang- Action Electrical -MCD Mr. Gaurav Kumar AE, ENM and Mr. Deepak Rohila- SC, ENM.

Mr. Dhruv Rohatgi Panel Counsel GNCTD with Ms Chandrika Sachdeva Mr Dhruv Kumar, Advs.

Mr. Vivek Kumar Tandon, Local commissioner.

Mr. Hitesh Sharma (Plant Manager), Mayapuri CETP, Mr. Sudhir Kumar (Treasurer) Mayapuri CETP, Mr. Ashok Kumar (Nangloi CETP), Mr. Ravi Sood (Badli CETP), Mr. Sanjay Vig (Mangol Puri CETP), Mr. K.D. Sharma (Jhilmil CETP), Mr. R.N. Sharma (Naraina CETP) and Mr. Suresh Kumar (Okhla CETP)

Ms Varsha, Adv.

Mr. Nishant Shokeen, Ms. Ojaswani Dixit and Mr. Yash Bhardwaj,



Advocates for SPM Industrial Park Welfare Association.

Mr. Anil Mittal and Mr. Atul Chauhan, Advocates with Mr. Arvind Kumar, Zileadar UP Irrigation Department.

Mr. Biraja Mahapatra, Advocate for DPCC.

5(SDB)

CNR No. DLHC010238512022

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W.P.(C) 9617/2022

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Zain Haider and Mr. Tanvir Ali, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Ms. Prabhsahay Kaur (Standing Counsel), Ms. Deeksha L. Kakar (Panel Lawyer), Mr. Aditya Verma, Ms. Sana Parveen advocates with mr. Nakul (DD, plg. DDA) Mr. Ripudamn Bhardwaj, CGSC with Mr. Kushagra Kansal, Advocate for UOI.

Dr. S. K Goyal, Scientist G & Chair, CSIR-NEERI, Delhi Regional Centre.

Mr. Kapil Midha Adv. for (Mondhaka Udyog Nagar (south) welfare society.

Mr Tushar Sannu, Ms Rajbala, Ms Payal Rajput Advocates, for MCD and DJB.

Mr. VK singh, AE Mr. Manish Rajpa Mr. Astik Jha , AE- DJB, Mr. Rajeev Narang- Action Electrical -MCD Mr. Gaurav Kumar AE, ENM and Mr. Deepak Rohila- SC, ENM.

Mr. Vivek Kumar Tandon, Local



commissioner.

Mr. Dhruv Rohatgi Panel Counsel
GNCTD with Ms Chandrika Sachdeva
Mr Dhruv Kumar, Advs.

Ms. Nishi, Adv.

Ms. Pratima N Lakra CGSC Mr
Shailendra Kumar Mishra, Advs.

Mr. Shashi Pratap Singh, Ms.
Anamika Tyagi, Ms. Laqshyaa Saluja,
Advocates with Ms. Sulakshna Kholia
Coordinator for President, Swarna
Park Mundaka Industrial Area
Association.

Mr. Anil Mittal and Mr. Atul Chauhan,
Advocates with Mr. Arvind Kumar,
Zildar UP Irrigation 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.

**Issue of Waterlogging in the Okhla Area i.e., Abul Fazal Drain (Re:e-
newspaper report dated 7th January, 2026)**

2. *Vide* order dated 24th August, 2026, this Court had directed as under:

*“3. Mr. Amit Mittal, Senior Assistant (Legal) from the
Uttar Pradesh Irrigation Department is present. Insofar
as the extension of the Abul Fazal Drain is concerned,
Mr. Anil Mittal, Id. Counsel for the Uttar Pradesh
Irrigation Department submits that the sanction for the
extension of the said drain has already been applied for
with the Namami Gange Authority (National Mission for
Clean Ganga-NMCG) and is likely to be issued soon. Id.
Counsel further submits that by 15th September, 2026,
the Uttar Pradesh Irrigation Department intends to start*



the work for the extension of the Abul Fazal Drain. The NMCG shall consider the application for the extension of the Abul Fazal Drain and communicate the decision at the earliest.

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9. Considering the danger that the drain could pose to the local residents, this Court directs the MCD to immediately construct the separator wall and put slabs covering the open drain, without awaiting any further No Objection Certificate from the Uttar Pradesh Irrigation Department. The construction of the separator wall and covering on the drain, if required as per law, be commenced immediately by the MCD.

10. The concerned Executive Engineer Mr. Vinod Kumar Singh, from the Uttar Pradesh Irrigation Department is at liberty to co-ordinate with the MCD, if he so desires.

11. The MCD shall also undertake continuous desilting of the drain and the cleaning of the area as well, since the photographs placed on record depicts that there is a large quantum of litter and garbage which is in and around the drain.

12. An updated status report shall be filed by the MCD by the next date of hearing.”

3. Today, Mr. Tushar Sannu, Id. Counsel for the Municipal Corporation of Delhi (hereinafter, ‘MCD’) has handed over a status report of the MCD dated 24th September, 2026.

4. Mr. Anil Mittal, Id. Counsel appears for Uttar Pradesh Irrigation Department. As per the Uttar Pradesh Irrigation Department, the National Mission for Clean Ganga (hereinafter, ‘NMCG’) has given the principal approval for additional funds in respect of the Jasola drain for augmentation of the Abul Fazal Drain. A sum of Rs. 5.02 crore has been released for the same. The work order placed upon the contractor dated 21st September, 2026



has also been placed on record. The contractor for the said work is Mr. Harveer Chauhan, R/o Sector-9, House No. 17, Chiranjeev Vihar, Janpath Ghaziabad.

5. Photographs to show that the work for augmentation of the Abul Fazal Drain commenced on 22nd September, 2026 has been placed on record. The said images are extracted below:-





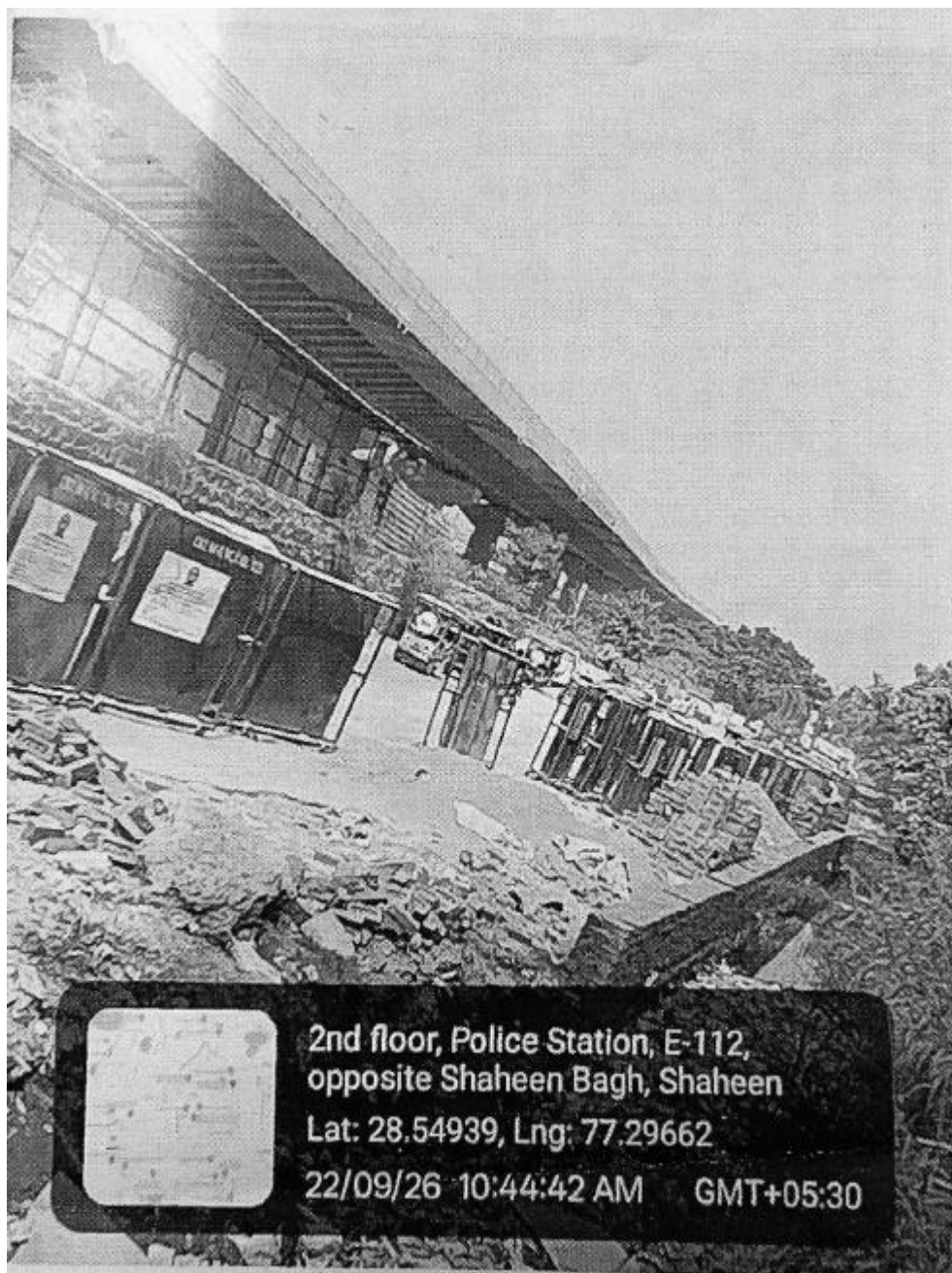
6. Mr. Arvind Kumar, Zilladar, Uttar Pradesh Irrigation Department, who is present in Court submits that Mr. Satinder Yadav, Junior Engineer, Uttar Pradesh Irrigation Department is supervising the project. The deadline for completion of the project is stated to be 21st June 2027. Accordingly, by the next date of hearing, a proper updated status report, setting out the progress of the work shall be placed on record by Mr. Satinder Yadav, Junior Engineer. The contractor *i.e.*, Mr. Harveer Chauhan shall also be physically present in Court on the next date of hearing.

7. Insofar as the MCD is concerned, as per the status report dated 24th September, 2026, the construction of the separator wall has commenced and photographs to this effect are placed on record. The said project is stated to have commenced on 15th September, 2026 and as per Mr. Ram Raj Meena,



Executive Engineer, MCD, who is present, it would take three months to complete the same *i.e.*, by 15th December, 2026. The images showing construction of the separator wall are extracted below:





8. Accordingly, let the separator wall be constructed and an updated status report be placed on record setting out the completion of the separator wall by the next date of hearing.
9. In addition, the continuous desilting of the drain and the cleaning of the area surrounding the drain shall also be undertaken by the MCD. Insofar as



the partial covering of the drain, to enable movement of the residents is concerned, let the MCD and Uttar Pradesh Irrigation Department come up with a joint proposal in this regard by the next date of hearing. Let a status report be filed regarding the same.

Upgradation of STPs and installation of new STPs.

10. *Vide* order dated 24th August, 2026, in respect of the upgradation of the STPs, this Court had directed as under:

“23. One of the concerns raised by the Id. Local Commissioners is that the treated water is being again discharged and mixed with the untreated water. Therefore, the drains would have to be laid in respect of the new STPs. Accordingly, this aspect shall be given top priority for existing STPs and the newly proposed DSTPs when the tenders are floated and the work shall be supervised by DJB.

24. In respect thereof, a separate status report shall be filed by the DJB by the next date of hearing. Let an updated status report regarding all STP works be filed by the DJB by the next date of hearing.”

11. A status report dated 25th September, 2026 on behalf of the Delhi Jal Board (hereinafter, ‘DJB’) has been handed over by the Id. Counsel for DJB. The same is taken on record. As per the said status report, the following measures have been under taken:-

“3. It is most respectfully submitted that presently Delhi Jal Board (‘DJB’) operates 37 Sewage STPs having a cumulative installed treatment capacity of 814 MGD. Out of these, 28 STPs with a combined treatment capacity of approximately 735 MGD are compliant with the prescribed effluent discharge standards stipulated by the NGT. The remaining 09 STPs, having a cumulative capacity of approximately 69 MGD are



operational and functioning as per their respective design parameters. These STPs are under the process of upgradation and are targeted for compliance by December 2027.

4. It is further submitted that following measures have been undertaken by DJB for conveyance and beneficial utilisation of treated effluent:

i. Dedicated Treated Effluent Conveyance System to River Yamuna: Treated effluent from three STPs at Yamuna Vihar, having a combined capacity of 50 MGD is being conveyed directly to River Yamuna through 2 x 900 mm diameter pumping mains. Further, treated effluent from Delhi Gate Phase-II STP (15 MGD) is also being directly conveyed to River Yamuna.

ii. Utilisation of Treated Effluent by PPCL: The entire treated effluent of Delhi Gate Phase-I and Phase-II STPs aggregating approximately 5 MGD is being supplied to Pragati Power Corporation Limited for power generation purposes. In addition, Rithala Phase-II STP is supplying approximately 6-8 MGD of treated effluent to PPCL depending upon demand and operational conditions.

iii. Dedicated Treated Effluent Conveyance System for Trans-Yamuna Area: Delhi Jal Board has initiated construction of a dedicated treated effluent conveyance network for supplying approximately 15 MGD of treated effluent from Yamuna Vihar STP to parks, green belts and horticultural areas in the Trans-Yamuna region. The work has been awarded and is presently under implementation.

iv. Effluent Pumping Stations at Kapashera, Mehrauli and Ghitorni: The DJB has established three Effluent Pumping Stations, along with the associated conveyance infrastructure, at Kapashera, Mehrauli and Ghitorni STPs. These facilities facilitate the supply of treated effluent to farmhouses and other prospective consumers in South Delhi for



beneficial utilisation.

v. Dedicated Conveyance System from Coronation Pillar STPs: Further, the DJB has initiated a proposal for utilisation of approximately 100 MGD of treated effluent from New Coronation Pillar, Coronation Pillar Phase-II and Phase-III STPS through a dedicated conveyance system up to the downstream of Wazirabad. The tendering process has been initiated and bids have been received.

vi. Assessment of Further Reuse and Diversion Options: Also, the DJB Board is assessing the feasibility of further utilisation of reclaimed/treated water for replenishment of water bodies and other suitable non-potable purposes, as well as the feasibility of diverting treated effluent presently discharged into nearby drains for beneficial utilisation, wherever technically feasible.”

12. Accordingly, let an updated status report be filed by the DJB by the next date of hearing

27 Non- Confirming Areas

13. *Vide* order dated 24th August, 2026, this Court directed as under:

“28. In order to fix the timelines for the approval of the plans and for considering relaxation of certain norms etc., let Mr. Manish Verma, Additional Commissioner (Planning), DDA hold a meeting on **31st August, 2026** with all the other authorities and come up with proper timelines as to the manner in which the approvals shall be obtained/granted for the purpose of inter-alia laying down the sewer line and sewage water drain in all these 25 non-confirming areas. While considering the issue of relaxation of norms it shall be borne in mind by the DDA that these industrial clusters have come up and are existing for several decades without any proper infrastructure or planning. Thus, enforcing newly imposed conditions under fresh Master Plans to



these areas would be completely impractical. The DDA needs to take a pragmatic approach to achieve the re-development with the existing conditions in the best possible manner, as these industries need proper drains, water pipes, sewage lines etc.,

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*32. Accordingly, the DDA, the Ministry of Industries, GNCTD, the MCD along with the DSIIDC shall consider the documents and the averments made in **CM APPL. 56748/2026** and demarcate the entire area of Samaypur Badli so that the agency i.e., M/s Square Designs can prepare a fresh plan for this area.*

33. Let a said meeting for dealing with Samaypur Badli alone be chaired by the Secretary, Ministry of Industries, GNCTD, who shall request officials from all the authorities i.e., the DSIIDC, DDA, MCD, M/s Square Design or any other authority, which may be required to participate in the said meeting. Two representatives from the associations of the industries are also permitted to attend the said meeting so that they can place their stand before the Secretary, Ministry of Industries, GNCTD.

*34. The said meeting be held on **2nd September, 2026 at 11:30 AM** in the office of Secretary, Ministry of Industries, GNCTD. The agency i.e., M/s Square Design shall then start preparation of fresh plans for re-development of Samaypur Badli within three months. The application **CM APPL. 56748/2026** is disposed of in these terms.*

35. Insofar as Phirni Road is concerned, the issue of two competing associations continue to affect the development work in this area. Mr. Sanjeev Kumar Dubey, ld. Sr. Counsel for the Mundka Industrial Area Welfare Society submits that the comments have already been submitted for the plans for this area to the MCD. Mr. Kapil Midha, ld. Counsel for the Mundka Udyog Nagar South Side Welfare Society further submits that the comments have already been



submitted for the plans for this area. However, there is some uncertainty regarding submission of comments by these two associations. If the said societies wishes to give any comments about the said plan, they may contact Mr. Kuldeep Singh from DSIIDC and give their comments by 31st August, 2026. It is made clear that after 31st August, 2026, no comments shall be entertained.

*36. In order to facilitate the same, let a meeting be held between both the Societies and Mr. Kuldeep Singh from DSIIDC on **26th August, 2026 at 11:30 AM** in Mr. Kuldeep Singh's office. The agency preparing the plans for this area shall also be present in the meeting. Once the comments are submitted by the two societies by 31st August, the concerned Agency shall finalise the plans for the Phirni area and submit the same to the MCD by 30th September 2026.*

37. Let the updated status report be filed by the DSIIDC, DDA, MCD and the Ministry of Industries, GNCTD by the next date of hearing."

14. Insofar as Samaypur Badli is concerned, in the meetings dated 2nd September, 2026, 8th September, 2026 and 17th September, 2026 which were held under the Chairmanship of the Additional Chief Secretary, Department of Industries, Government of National Capital Territory of Delhi (hereinafter, 'GNCTD') the following has been approved:

*" **Minutes of Meeting***

1. In pursuance of the directions of the Hon'ble High Court of Delhi vide its order dated 24.08.2026 in W.P.(C) Nos. 7594/2018 & 9617/2022, a meeting was held on 17.09.2026 at 4:00 PM, in continuation of the meeting held on 02.09.2026 and 08.09.2026, under the chairmanship of the Additional Chief Secretary, Department of Industries, GNCTD, regarding the Samaypur Badli Non-Conforming Industrial Cluster, at



Conference Room-2, Second Floor, Delhi Secretariat, New Delhi-110002. The list of attendees is annexed.

2. The matter was discussed in detail. During the meeting, the officers of DDA submitted their position regarding the agenda, minutes/proceedings, approvals and concerned file(s) of the Technical Committee, wherein the issue relating to the green belt area and its proposed change to industrial use was considered and decided. The DDA officials also provided the relevant record indicating the subsequent decision regarding the said area under MPD-2047.

3. Thereafter, in furtherance of the directions of the Hon'ble Court, Chairman directed that the demarcation of the boundary of Samaypur Badli industrial area, as per the map available in DDA records, be done by a team headed by the concerned SDM along with representatives of DDA, DSIIDC, Industries department, Samaypur Badli Industrial Association. Necessary direction in this regard be issued by the Special Secretary (Industries).

4. The meeting ended with a vote of thanks to the chair."

15. There is apprehension as to what constitutes 'map available in DDA Records' as it is felt that only the original layout plan of 2001 may be considered and not the remaining documents such as the Zonal plan and other Notifications. The objection raised by Mr. Yadav, on behalf of the Rural Area Manufacturers' Association is that the Delhi Development Authority (hereinafter, 'DDA') records are quite vague and ambiguous and it is not clear whether the demarcation will now be done only on the basis of the layout plan of 2001 or even the subsequent documents of the DDA.

16. Mr. Dhruv Rohtagi, Id. Counsel for the GNCTD, on the other hand,



submits that the demarcation is now to be done by the SDM, Rohini and the said official has requested for four weeks for completion of demarcation.

17. Mr. Manish Verma, Additional Commissioner (Planning), DDA is present in Court and on a specific query, he submits that for the purpose of demarcation, the following documents would be considered:

- i) Layout Plan, 2001 of the DDA;
- ii) Zonal Development Plan approved by Union of India on 8th March, 2010, including the directions relating to the green strip along the G.T. Karnal Road;
- iii) Notification dated 19th July, 2012 issued by the Ministry of Urban Development.

18. The concerned SDM shall, accordingly, take all the above documents into consideration and thereafter, proceed with the demarcation of the Samaypur Badli Industrial Area and file a status report regarding the demarcation by the next date of hearing.

19. A copy of the present order be communicated to SDM, Rohini by Mr. Dhruv Rohatgi, Id. Counsel for the GNCTD.

20. Insofar as the plans for the 25 non-confirming areas are concerned, the same are still not approved by the MCD. Mr. Anand Sharma, Senior Town Planner, MCD, who is present in Court, submits that the plans for the re-development are not approved due to the stand of the DDA. The stand of the DDA, as per Mr. Manish Verma, Additional Commissioner (Planning), DDA, is that relaxation of the norms of the master plan is not possible.

21. After hearing Id. Counsels for the parties, it becomes clear to the Court that the plans which were made by three agencies, namely, M/s SABS Architects & Engineers Pvt. Ltd., M/s Square Designs and M/s Creative



Circle were made earlier in terms of Master Plan-2021. However, the said Master Plan has now been replaced with the Master Plan for Delhi 2047 (hereinafter, 'MPD-2047'). According to the DDA, as per MPD-2047, the requirements are much less and basically insofar as these plans are concerned, only the road network plan requires to be seen.

22. It is clear from the events which have transpired in these petitions that the laying down of a sewer line and storm water drain in all the 25 non conforming areas is held up primarily because these colonies are already in existence and there are constructions in these colonies. The road network plan would have to be made with several constraints based upon the available roads and the amount of space that can be utilized for construction of the drains. The situation may not be ideal. **However, laying down of sewer lines and the storm water drain is absolutely essential for these areas.**

23. Bearing this in mind, it is directed that Mr. Manish Verma, Additional Commissioner (Planning), DDA, Mr. Anand Sharma, Senior Town Planner from the MCD and Mr. Praveen Kumar Singh, Executive Director, Delhi State Industrial & Infrastructure Development Corporation Ltd. (hereinafter, 'DSIIDC') along with the representative/designers from the three agencies which were engaged by DSIIDC i.e., M/s SABS Architects & Engineers Pvt. Ltd., M/s Square Designs and M/s Creative Circle shall hold a meeting on **12th October, 2026 at 11:30 a.m.** in the office of DSIIDC. Any other officials who may be needed, may also be called for the said meeting.

24. In the said meeting, the plans which have already been prepared by the said three agencies shall be examined in the light of the MPD-2047 and Mr. Manish Verma, Additional Commissioner (Planning), DDA shall guide the agencies as to what marking needs to be done on the said plans or any changes



that are needed.

25. Further, the MCD shall then examine the plans in terms of the MPD-2047 and a report shall be placed before this Court, highlighting any areas where there is intervention needed from Court.

26. Insofar as Phirni Road is concerned, M/s Creative Circle shall also now look at the MPD-2047 and in the meeting to be held on 12th October, 2026, it shall submit the plan of Phirni Road so that even this plan can get finalized along with other plans.

27. List on 4th December, 2026.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

SEPTEMBER 25, 2026

Mr/Rahul/Ck