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% 18.11.2005

Present : Mr. Anand Yadav, Adv., for petitioner
Mr. Rajesh Mahajan, Adv., for respondent/DJB
Ms. Avnish Ahlawat, Ms. Latika Choudhary, Advs.
for Respondents No. 1 to 3 & 5
Ms. Anuradha Thakur, Adv. for
Dr. Sarbjit Sharma, Adv. for MCD

+WP(C) 9410-13/2004

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1. On 8.3.1993 consolidation proceedings were commenced in Village Kanjhawala. Scheme of consolidation was prepared. The village abadi was extended.
2. Grievance in the writ petition is that post consolidation no development work has been carried out. Roads, pathways and other passages which had to be maintained after construction/laying as per the scheme of consolidation were not laid or constructed. Street lights were not installed. Water supply was not augmented. In brief what the petitioner states is that no development whatsoever has been carried out. It is asserted that civic amenities have not been extended to the extent abadi and the existing facilities in the old abadi have gone for a toss due to non-maintenance.
2. The usual replies have come from the respondents.

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file and no page is missing.

Counter affidavit filed by the Municipal Corporation of Delhi states that electrification, sewage and water supply does not pertain to MCD. Pertaining to roads, it is stated that a request has been sent to the Deputy Commissioner, North West to supply the details of roads/public passage/firni so that work can be carried out.

3. Response of the DJB is that the Revenue Authorities have not provided the Lal Dora extension certificates. In absence thereof DJB has not conducted a technical feasibility for laying water supply line. It is asserted that no villager has applied for a water connection.

4. Delhi has to be developed in terms of the provisios of the Delhi Development Act 1957 and the master plan framed thereunder. As a result of consolidation in a village, if the village abadi is extended as per the approved layout (masavi) development work has to be carried out.

5. Response of the respondents show that each one of them is passing the buck.

6. The various authorities providing civic amenities i.e. MCD, DJB and the company supplying electricity in the area have to sit together and coordinate their work. Since the various

departments are unable to coordinate and as a consequence development has not taken place in the village abadi of village Kanjhawala, a nodal officer needs to be appointed to monitor development.

7. Petition stands disposed of with a direction to the Chief Secretary, Government of NCT of Delhi to nominate an officer not below the rank of a Joint Secretary. The said officer would function as a Nodal Officer. He would coordinate the development work with all agencies i.e. MCD, DJB and company supplying electricity in the village Kanjhawala. Action plan would be chalked out by the Nodal Officer. Action plan would ensure that development work is completed within 18 months from today.

8. The Nodal Officer would receive, if any representations made to him by the villagers pertaining to the present order and it would be his duty and obligation to ensure that civic amenities are extended to the abadi of village Kanjhawala within the period of 18 months as afore-directed.

9. No costs. Dasti.


PRADEEP NANDRAJOG, J.

November 18, 2005
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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 9410-13/2004 .

SH. DINESH DABAS & ORS.

..... Petitioners

Through: Ms. Anita Tomar for Mr. Anand
Yadav, Advocate.

Versus

DEPUTY COMMISSIONER,
NORTH WEST DISTRICT & ORS.

..... Respondents

Through: Ms. Latika Chaudhary for Ms. Avnish
Ahlawat, Advocate for GNCTD.
Mr. Rahul Srivastava & Ms. Suparna
Srivastava, Advocates for MCD.
Ms. Nidhi Minocha, Advocate for
DJB.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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09.11.2010

CM No.1110/2009 (for extension of time)

1. The writ petition was disposed of on 18th November, 2005 with certain directions to the respondents. Now only the application of the respondents for extension of time for complying with the order is pending.
2. The counsels have mentioned the matter. The counsel for the petitioners seeks time to respond to the affidavit of the respondent MCD.
3. However no purpose will be served in keeping this application pending. The counsel for the respondent Govt. of NCT of Delhi seeks time

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till December, 2012 for compliance with the order. Accepting the said statement of the counsel for the Govt. of NCT of Delhi the time for compliance of the order is extended till December, 2012. All the departments concerned are also directed to co-operate for compliance of the order. If the respondent Govt. of NCT of Delhi is of the opinion that any department is creating any impediment in compliance of the order the respondent Govt. of NCT of Delhi will immediately move an application in that regard and also to intimate the petitioners to enable them to take appropriate steps in that regard.

4. With the aforesaid directions, the application being CM No.1110/2009 is disposed of. No order as to costs.

Dasti.



RAJIV SAHAI ENDLAW, J

NOVEMBER 09, 2010

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