

Court No. 1

Original Application No. 737/2022
(IA No 93/2023)

Applicant

Respondent(s)

Original Application No. 577/2024

News Item titled "South Delhi pond a sewage pool with defunct STP"
appearing in The Times of India dated 19.04.2024

Date of hearing: 03.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant:	Ms. Garima Kumar, Advocate for Applicant in OA 737/2022
Respondent	Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for R - 2 & 4 in OA 737/2022 & for DM, South & SDM, Mehrauli in OA 577/2024 (Through VC)
	Ms. Richa Kapoor & Ms. Atika Singh, Advs. for MoEF & CC in OA 737/2022
	Ms. Prabhsahay Kaur & Mr. Aditya Verma, Advs. for DJB
	Ms. Kritika Gupta, Adv. for DDA
	Mr. Amit Singh Chauhan & Ms. Shaima Masood, Advs. for CPCB in OA 577/2024

ORDER

1. In this original application, one of the issues under consideration relates to maintenance of Macchali Talab (water body) in Smriti Van at Vasant Kunj.

2. The recent affidavit of DJB dated 05.03.2025 reveals that the DSTP in question was setup without CTE and was operating without CTO. Learned Counsel for the DJB has informed that the CTE was obtained on 02.04.2025, meaning thereby even as on today, the DSTP in question

does not have CTO. Hence, appropriate steps are required to be taken by the DPCC to levy environmental compensation for violating the norms.

3. The Counsel for DPCC is not present and a counsel stated to be the proxy counsel has tried to take an adjournment when the hearing was about to conclude by submitting that he will obtain instructions in the matter.

4. We are of the view that in such serious matters, the DPCC should ensure that the counsel appears and renders effective assistance to the Tribunal.

5. Learned counsel for the DJB has also submitted that there is a sewer line which has been proposed for diverting the surplus sewage coming from the existing drain to another sewage drain connected to the Vasant Kunj STP. It has not been disclosed that if the Vasant Kunj STP has the capacity to take the additional load.

6. Hence, the DJB is required to file an additional affidavit disclosing the capacity of Vasant Kunj STP, the existing sewer load on that STP and if that STP is meeting the existing norms.

7. Similarly, in respect of DSTP in question also the DJB will place on record the water sample analysis report of the discharge from STP, and also its capacity, capacity utilization and sewer load it is receiving.

8. List on 06.08.2025

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 02, 2025
OA No. 737/2022
OA No. 577/2024
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