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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM (M) 575/2021 & CM APPLs.29013-14/2021**  
MAM CHAND ..... Petitioner  
Through: Mr. Krishan Gopal Chokkar,  
Advocate.

versus  
SATISH KUMAR AND ORS ..... Respondents  
Through: Mr. Pradeep Kumar Gulia, Advocate  
for R-59 & 57.

10 WITH  
+ **CM (M) 323/2021 & CM APPLs.14178/2021, 20945/2021,**  
**20949/2021 & Review Pet. 103/2021**

BISHAN SWAROOP ..... Petitioner  
Through: Mr. L.S. Solanki, Advocate.

versus  
MAHENDER KUMAR PANDEY ..... Respondent  
Through: Mr. Dinesh Kumar Chawla,  
Advocate.  
Mr. Mayank Yadav, Advocate for  
Applicant.  
Mr. Neeraj Bhardwaj, Advocate for  
R-3.

11 WITH  
+ **FAO 36/2021 & CM APPL.2914/2021, 10442/2021, 10444/2021,**  
**20904/2021, 23819/2021, 25868-70/2021, 25884-85/2021,**  
**26495/2021, 29121/2021**

NEETA BHARDWAJ & ORS. .... Appellants  
Through: Mr. Neeraj Bhardwaj, Advocate.

versus  
KAMLESH SHARMA ..... Respondent  
Through: Mr. Rohit Kishan Naagpal, Mr.  
Akarshan Bhardwaj & Mr. Dipanshu  
Gaba, Advocates for R-1 to 4 & 6.

Ms. Rashmi B. Singh, Advocate for R-7&8.

Mr. Sarvesh Bhardwaj, Advocate for R-9.

Mr. Amit Gupta, Advocate

Mr. Aly Mirza & Mr. Prabhas Chandra, Advocates for R-10.

Ms. Sageeta Bharti, Standing Counsel for DJB (M-9811112863).

Mr. Amit Gupta, Advocate for Applicants.

Mr. Yoginder Singh, Advocate for Applicant.

AND

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+

**CONT.CAS(C) 614/2021**

POORNIMA SHARMA

..... Petitioner

Through: Ms. Garima Anand, Advocate.

versus

VIPUL GAUR

..... Respondent

Through: Mr. Neeraj Bhardwaj, Advocate.

Mr. Rohit Kishan Naagpal & Mr. Dipanshu Gaba, Advocates.

**Appearances for various Baridaars:-**

Mr. Vishal Bhardwaj, Advocate in FAO 36/2021.

Mr. Kamal Kumar, Advocate.

Mr. Kamal Kant Bhardwaj, Advocate.

Ms. Smita Maan, Advocate.

Mr. Ashok Kumar, Advocate.

Mr. Atul Bandhu, Advocate.

Mr. Kush Bhardwaj, Advocate.

Mr. Sanjay Bhardwaj.

Mr. R.K. Gupta, Advocate.

Mr. R.K. Bhardwaj, Advocate.

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**ORDER**  
% **03.09.2021**

1. This hearing has been done through video conferencing.
2. These are part heard matters.
3. In terms of the last order, Ms. Sangeeta Bharti, Id. Counsel for the Delhi Jal Board, has filed an affidavit giving details of the amounts which were deposited by the various *baridaars* pursuant to the order of the Supreme Court in *SLP(C) No. 32452/2013* titled *Kalkaji Mandir Vikreta Sangathan II and Ors. v. Piyush Joshi and ors.* She submits that the total amount received by the Delhi Jal Board from the various *baridaars*, as on date, is Rs. 4,57,73,005/-. She submits that in addition to the said amounts, two more cheques have been received on 2nd September 2021, one of which is a post-dated cheque of 15th September 2021. The same have not been encashed yet. If the same are encashed, the total receipts would amount to Rs. 4,61,52,172/-.
4. Under instructions from Mr. Ashok Kumar, Executive Engineer, DJB, she submits that a total sum of Rs. 4.57 Crores have already been spent by the Delhi Jal Board on the following heads:
  - i) P/L of internal sewer system inside Kalkaji Mandir Complex under EE(S) II (AC-51 Kalkaji) – Rs.103,11,083/-.
  - ii) P/L of Peripheral sewer system at Kalkaji Mandir Complex (From Kalkaji Mandir to Govindpuri Trunk Sewer) under EE(S) II (AC 51 Kalkaji) – Rs.88,19,781/-.
  - iii) Infrastructure Charges for Conveyance and treatment of sewage – Rs. 3,28,50,300/-.

5. In response to the said affidavit, it is submitted by almost all the Counsels appearing in these matters, that the sewerage system in the area of the *Kalkaji Mandir* is not in a good working condition. They submit that most of the pipelines which were laid, are blocked. It is further submitted that the manner in which the system has been laid out has not been explained. Further, at the time of the construction of the Modi Mill Flyover, the peripheral lines have been damaged/demolished. It is submitted that, in fact, there is no sewerage system in the *Kalkaji Mandir* despite all *baridaars* having deposited a substantial sum with the Delhi Jal Board.

6. In response to these contentions, Ms. Bharti, Id. Counsel, submits that if there is any repair work or any other work that is to be carried out at the end of the Delhi Jal Board, it shall carry out the same under orders of this Court.

7. In respect of the renovation and re-development, as also the maintenance, of the *Kalkaji Mandir* complex, various suggestions have been filed by the parties belonging to different groups today. Oral submissions have also been made today, by the following Id. Counsels for the parties:

- i) Mr. Aly Mirza, Id. Counsel appearing for *Thulla Kanphatta Jogi* - Mahant Surender Nath;
- ii) Mr. Vishal Bhardwaj, Id. Counsel appearing for one of the *baridaars* from *Thulla Tansukh*;
- iii) Ms. Smita Maan, Id. Counsel appearing for *baridaars* in *Thulla Bahadur*;
- iv) Mr. Kush Bhardwaj, Id. Counsel appearing for Mr. Naval Bhardwaj belonging to *Thulla Bahadur*, as also for *baridaars* of *Thulla Tansukh*;

- v) Mr. Neeraj Bhardwaj, Id. Counsel appearing for himself, belonging to *Thulla Tansukh*, and also as a counsel on behalf of Mr. Vipul Gaur who belongs to *Thulla Jasram*;
- vii) Ms. Rashmi B. Singh, Id. Counsel appearing for Mr. Sanjay Bhardwaj who belongs to *Thulla Bahadur*;
- viii) Mr. Laxman Singh Solanki, Id. Counsel appearing for Mr. Bishan Swaroop who belongs to *Thulla Gharbari Jogi*;
- ix) Mr. Rohit Krishan Nagpal, Id. Counsel appearing for *baridaars* in *Thulla Bahadur*, along with Mr. Rakesh Bhardwaj who belongs to *Thulla Jasram*;
- x) Mr. Kamal Kant Bhardwaj, Id. Counsel appearing for *baridaars* in *Thulla Bahadur*;
- xi) Mr. Sarvesh Bhardwaj , Id. Counsel appearing for *baridaars* belonging to *Thulla Rambaksh*, and also as a Counsel for the Committee
- xii) Mr. Pradeep Kumar, Id. Counsel appearing for *baridaars* belonging to *Thulla Jasram*
- xiii) Mr. R.K. Gupta, Id. Counsel for *baridaars* belonging to *Thulla Gharbari Jogis*.
- xiv) Mr. Avinash Chaurasia, Id. Counsel, appearing for *Thulla Bahadur* and *Thok Jogians*
- xv) Mr. K.G. Choker, Id. Counsel appearing for *baridaars* in *Thulla Gharbari Jogian*.

Submissions have substantially been heard on behalf of these parties and their counsels.

8. Mr. R.K. Bhardwaj, Id. Counsel appearing for Appellants in **FAO 36/2021**, belonging to *Thulla Jasram*, seeks an adjournment as he is indisposed today. An adjournment request has also been received from Mr. Mayank Yadav, Id. Counsel as he is indisposed today.
9. Mr. L.K Solanki, Id. Counsel, representing Mr. Bishan Swaroop in **CM(M) 323/2021** submits that he has filed an application on 31<sup>st</sup> August 2021, vide Diary No. 668739. Let the same be placed on record before the next date.
10. Let Court notice be issued to Mr. Arun Birbal, Id. Standing Counsel, SDMC (M-9958118327) and to Mr. Sanjay Lao, Id. Standing Counsel (Crml.), GNCTD (M-9818166809) for the next date. The Court Master to also inform them to join the proceeding on the next date of hearing.
11. List these matters for further hearing on 8<sup>th</sup> September 2021 in physical court at 2:30 p.m.

**PRATHIBA M. SINGH, J**

**SEPTEMBER 3, 2021**

*Rahul/MW/Ak*