

# All Dwarka Resident Federation Through ... vs Commission For Air Quality Management ... on 19 September, 2023

**Author: Subramonium Prasad**

**Bench: Subramonium Prasad**

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IN THE HIGH COURT OF DELHI AT NEW DELHI  
W.P.(C) 12291/2023

ALL DWARKA RESIDENT FEDERATION THROUGH I  
PRESIDENT AND SECRETARY

Through: Mr. Ravi Vashisht,  
Maurya and Mr. Rav

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COMMISSION FOR AIR QUALITY MANAGEMENT IN  
AND ORS

Through: Mr. Anurag Ahluwalia  
with Mr. Tarveen Na  
Pleader for R-2.  
Mr. Udit Malik, ASC  
of Delhi with Mr. V  
Adv. for R-3 and 4.  
Mr. Harshal Arora,

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD  
ORDER

% 19.09.2023 CM APPL. 48393/2023 (Exemption) Allowed, subject to all just exceptions.

W.P.(C) 12291/2023 & CM APPL. 48392/2023

1. The Petitioner/All Dwarka Resident Federation seeks to highlight the difficulties faced by the various co-operative societies in Dwarka in adhering to Advisory dated 28.06.2023 which directs as under:

"7. In the above backdrop, it is essential that conversion to dual fuel mode and / or retro-

fitment of ECDs is earnestly targeted to be This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 21/09/2023 at 22:47:05 completed in all sectors in the NCR including

industrial, commercial, residential and office establishments etc. latest by 30.09.2023, as:

(i) There are a number of agencies / suppliers for dual fuel kits, with some of the OEMs of DG sets also providing technical support.

(ii) By far, major residential / commercial / industrial pockets in NCR have access to PNG infrastructure and supply. Even where a dedicated supply of gas may not be feasible / viable, gas availability through cascades / cylinders is a convenient option.

(iii) Certified agencies are now available for RECDs in the DG set capacity range of 125 -

500 kW. Certification of RECDs for DG sets in the capacity range 500 - 800 kW is also expected soon and between July to September, 2023 there would be ample time to plan for the retro-fitment."

2. It is stated that persons residing in Dwarka are primarily middle class families who are not able to afford the enormous cost of purchasing generators which can run on a dual fuel mode or have retro-fitting emission control devices. He further states that most of the apartments in Dwarka are multi-storeyed apartments having lifts and in case of a power failure and without there being generators, it will be difficult to operate the lifts which can result in accidents. He, therefore, prays for some extra time for the implementation of the advisory.

3. When this Court suggested to the learned Counsel for the Petitioner to give a representation to the Respondents praying for exemption from the This is a digitally signed order.

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4. The Respondents are directed to consider the present writ petition as a representation by the Petitioner and take a decision as expeditiously as possible.

5. In view of the above, the writ petition is disposed of, along with pending application(s), if any.

6. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J SEPTEMBER 19, 2023 S. Zakir This is a digitally signed order.

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