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

+ W.P.(C) 14517/2024

SMITA KUMARI RAJGARHIA

.....Petitioner

Through: Ms. Smita Kumari Rajgarhia and Mr.
Narendra Sharma, Advocates.

versus

GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Sameer Vashisht, ASC (Civil) for
GNCTD.
Ms. Harshita Nathrani, Court
Commissioner.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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05.12.2024

1. The present petition brings to light the unhygienic conditions of female washrooms in the Lawyers' Chambers Block at Saket Court. Recognizing the importance of this issue—which directly impacts the dignity, safety, and well-being of women who frequent the district courts, this Court, by order dated 16th October, 2024, appointed Ms. Harshita Nathrani as Court Commissioner to conduct a comprehensive assessment of the conditions of female washrooms across all District Courts in Delhi.

2. In compliance, Ms. Nathrani has submitted a detailed report dated 4th December, 2024, which paints a distressing picture. The report lays bare deficiencies demanding urgent attention. The findings reveal that most female washrooms in the Lawyers' Chamber Blocks lack adequate



infrastructure, including proper lighting, ventilation, and functional sanitary facilities. Issues such as seepage, exposed wiring, and the absence of essential amenities like soap and sanitary napkin vending machines have also been noticed in the report. Furthermore, Ms. Nathrani notes that regular maintenance and cleaning is absent due to an insufficient number of sanitation staff, posing serious hygiene and safety risks to users.

3. At Karkardooma Courts, in addition to the afore-mentioned issues, a significant shortage of cleaning and sanitation staff was observed. Despite a daily footfall of approximately 50,000 individuals, the number of sanitation workers is grossly inadequate to maintain acceptable hygiene standards. In response to these concerns, the Public Works Department¹ awarded a tender through an award letter dated 27th August, 2023 for the renovation of 64 toilets within the Lawyers' Chambers Blocks D, E, F, and G, aiming to improve the infrastructure and facilities of these washrooms.

4. Similarly, at Saket Courts, persistent water supply issues were identified. It was noted that water supply to the Lawyers' Chambers Block is discontinued after 3-4 PM, limiting the usability of the washrooms. Addressing this issue, PWD has taken some corrective measures. Further, a tender has also been issued by PWD for the renovation of all common toilets in the Lawyers' Chambers Block.

5. Significantly, the report distinguishes between the condition of washrooms within the Court Complexes and those in the Lawyers' Chambers Blocks, noting that the latter are in a worse state. Mr. Sameer Vashisht, ASC (Civil) for GNCTD clarifies that the maintenance and upkeep

¹ "PWD"



of washrooms in the Lawyers' Chambers Blocks falls under the purview of the respective Bar Associations.

6. This Court had previously directed the Principal District and Sessions Judges of all District Courts to address these issues. Compliance reports have been filed by Dwarka Court, Rohini Court and Saket Court informing that inspections have been carried out in all washrooms. The status reports by the remaining Courts have not yet been filed. Registry is directed to send a reminder calling for the reports.

7. The negligence displayed in maintaining these facilities cannot be overlooked. The lack of hygiene products, poor maintenance, and infrastructural inadequacies demand immediate action. In view of the foregoing, the Court finds it necessary to issue the following directions:

i. The Bar Associations of all District Courts and the Public Works Department are impleaded as parties to the petition. Let an amended memo of parties be filed within one week from today.

ii. The PWD, GNCTD shall forthwith commence construction and repair work for washrooms where tenders have already been awarded. For locations where tenders are pending, the process shall be expedited and brought to completion at the earliest. This work shall commence immediately upon the relaxation of the GRAP-IV regulating restrictions.

iii. The Chief Engineers of the PWD for each court complex shall coordinate closely with the respective Principal District and Sessions Judges to ensure that an uninterrupted supply of water is provided to all washrooms. Particular attention shall be given to addressing the water supply issues identified at Saket Courts.

iv. The Principal District and Sessions Judges of all District Courts shall



review the report submitted by the Court Commissioner, identify remedial measures and ensure implementation. A comprehensive status report on the progress made shall be submitted before the next date of hearing.

v. While the petition specifically pertains to female washrooms, these directions shall apply equally to male, female and handicapped washrooms in District Courts, to ensure a uniform standard of hygiene and functionality.

vi. The Bar Associations of all District Courts shall also examine the report submitted by the Court Commissioner and ensure the upkeep and maintenance of washrooms within the Lawyers' Chambers Blocks and submit a compliance report.

8. A copy of this order shall be communicated to the Principal District and Sessions Judges, the Bar Associations, and the Chief Engineers of the PWD for immediate compliance.

9. List on 10th February, 2025.

SANJEEV NARULA, J

DECEMBER 5, 2024

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