

06.07.2023

Present: Sh. Amit Mehra Ld. Counsel for DH.

Sh. Sonal Sinha Ld. Counsel for JD.

Sh Arman Monga Ld Counsel for MCD a/w Sh Hanumant Triwedi AE

City SP Zone in person.

Perusal of the record shows that on the LDOH the Executive Engineer, City SP Zone, MCD was directed to take decision on the application seeking construction of stair case on the ground floor of the suit property on the proposed plan to be submitted by the JD however it is submitted on behalf of the JD that they have taken an opinion from the approved structural architect who has opined that construction on any stair case on the ground floor of the property is not permissible as the same can cause damage to the whole property since the property is in a very dilapidated condition and it is submitted that due to this reason the proposal could not be submitted with the MCD.

Ld Counsel for the JD further submits that after receiving the report from the Architect, the JD has moved an application (Listed at Item No 17 today) seeking modification of the decree.

Ld Counsel for the DH has strongly opposed the same by submitting that the stair case has to be constructed from the portion of the JD and as such he may also be permitted to get an independent inspection done from an approved structural Engineer and the JD be directed to co-operate with the structural Engineer for inspection of the suit property.

Ld Counsel for the JD has no objection if any independent structural Engineer inspect the suit property on the expenses of the DH and he submits that he JD will co-operate with the Architect appointed by the DH to carry out inspection at the suit

property and will also allow him to inspect the portion falling in the share of the JD so that proper inspection could be done.

Let the report by the Architect so appointed by the DH, if any, be filed on or before NDOH with advance copy to the opposite side.

List for further proceedings on **22.09.2023**.

AE appearing on behalf of MCD is bound down for the NDOH.

(Ajay Gulati-II)

ADJ-01 (Central)

THC, Delhi/06.07.2023