

**IN THE COURT OF SH. DINESH BHATT
PRINCIPAL DISTRICT & SESSIONS JUDGE-CUM-SPECIAL
JUDGE (PC ACT) CBI ROUSE AVENUE DISTRICT COURTS
NEW DELHI**

**CNR No. DLCT11-000419-2025
CBI vs. Abhishek Gupta & Ors.
CBI No. 36/2025
RC No.08(S)/2024/SC-1
PS/Branch: CBI/SC-I/New Delhi
U/s: 61(2)/r/w 105 of BNS, 2023
IA No. 45/2026**

12.03.2026

ORDER

1. This is an application for further investigation filed as protest petition by father of deceased Nevin Dalvin, who alongwith two other students is claimed to have died on 27.07.2024 due to the flooding of basement Library of Rau's IAS Study Circle at BP-11, Rajinder Nagar, Central District, Delhi.
2. The applicant has stated that he had came to know about the incident through media on 27.07.2024.
3. After the incident, FIR was registered on 28.07.2024 and Delhi Police started investigating the matter. However, thereafter (vide order dated 02.08.2024) the Hon'ble High Court of Delhi, transferred the investigation to CBI. *Hon'ble High court in para no.39 had specifically mentioned that CBI shall carry out a full-fledged investigation regarding the aforesaid incident, including but not limited to the criminal negligence, dereliction of duties, corrupt practices indulged in by any person including the officials of local authorities, we expect all the local authorities to cooperate with the aforesaid investigation as three young lives*

were snuffed out apparently due to greed and/or negligence and/or failure to discharge duty.

4. Subsequently, CBI filed charge sheet on 26.09.2024 and supplementary charge sheet on 24.04.2025 but as per the applicant, IO has not conducted free and fair investigation.

5. It is mentioned that it was admitted that height of the building BP-11 was more than 15 meters which was even noted by the BSES during inspection but the owners of the building have taken the sanction by misrepresentation. The occupancy and completion certificate were issued on 09.08.2021 under the signatures of the Executive Engineer Kumar Mahendra. The sanction was granted on 13.05.2019 which was done under misrepresentation and inspection carried out by MCD officials. As per law the sanction was to be signed by the commissioner but the said sanction was issued under the signatures of AE. CBI has not investigated the matter as to how AE could have signed on behalf of Commissioner under section 336 of Delhi Municipal Act, 1957. The completion-cum-occupancy certificate clearly mentions that the basement was consisting of lift, lobby, car lift, stilt consisting of car lift but neither the basement nor the stilt area of the building was having any such structure. The investigation is silent on these aspects which clearly shows that there was deliberate and willful effort to save the Commissioner MCD. Ms. Neelam Rani had applied for sanction of BP-11 but had died on 09.03.2021 and after gap of 5 months of her death a completion-cum-occupancy certificate was issued by MCD. As per rules, MCD was required to inspect the building as to whether the structure has been erected as per plan but CBI had not investigated on this issue and did not even look into the fact

as to how in presence of a dead person the MCD officials had conducted the inspection of the said building. Consequently, if the sanction was accorded under misrepresentation, the same could have been canceled as per section 338 of Delhi Municipal Corporation Act but no such action was taken by the MCD/Commissioner. There is no explanation given in the investigation as to why Commissioner, MCD did not seize the building BP-11 which was an unauthorized construction. As per Section 346 of the Delhi Municipal Corporation Act, within one month of completion of the erection of the building, a notice was required to be given to the Commissioner and thereafter, after inspection if the same is found correct, completion/sanction was to be given. CBI has not given any details as to when the building was completed or when the MCD officials had inspected the building in question and if any observations were made by the officials at the said time. There is no explanation as to how the completion certificate was issued to a dead person. There is also no investigation on the fact that as per the site plan, the lift and lift lobby were existing in the basement but the same was not found at site. The building was more than 15 meters of height and there is no explanation as to how the completion certificate was issued by the MCD without mandatory fire NOC. CBI has not investigated as to which MCD officials were involved in issuance of such illegal completion certificate.

6. It is further stated that as per record, two students Kanishka Tiwari and Kishore Singh Kushwaha, prior to incident in question, had filed complaint with Delhi Police. CBI has failed to show as to what action was taken on those complaints, it appears that the CBI is shielding the corrupt officials. As per document

no.61 page no. 17, Superintendent Engineer, Karol Bagh Zone MCD had carried out inspection and action under 343, 344 (1) of Delhi Municipal Corporation Act was initiated but replied that on the said day police protection was not available and coaching centre was filled with number of students and owner of the property was not available on site, as such survey could not be completed. CBI has failed to investigate on this aspect as to who were those officials of MCD who had not done their duty as per law despite the fact that two earlier complaints regarding the flood have already been submitted to the MCD.

7. As per document no.18 the property no. BP-11 had paid dues under the amnesty scheme but the said building was a commercial building and the said amnesty scheme was not applicable. The same seems to have been done by the corrupt officials of MCD by violating the law but CBI had not investigated on these aspects. The Deputy Commissioner, Karol Bagh Zone and Superintendent Engineer, Karol Bagh Zone, MCD were required to be interrogated and investigated but CBI has not done the same and tried to shield both of them who are liable for the lapses of their duty.

8. As per document no.53 accused Ved Pal had submitted inspection report dated 31.01.2024 mentioning that the under ground tank with capacity of 1.5 lakh liters was not available in BP-11 but after 6 months i.e. on 01.07.2024 bearing signatures of accused Udai Veer Singh and several other Delhi Fire Services officials, have mentioned that such a huge tank of 1.5 lakh liter capacity was provided and constructed. CBI has not investigated as to how such a huge tank was constructed in an already constructed building. Similarly, the inspection report 31.01.2024

and 01.07.2024 does not mention as to how the lift mentioned in the same was not pointed out when the same was not found. Similarly, since the building was more than 15 meters why all those Delhi Fire Services officials have not been investigated and made accused as there was clear cut dereliction of duties and they had facilitated the owners of the building to procure a completion certificate without getting NOC from the fire department. It is further stated that when the underground tank of 1.5 lakh liter capacity was not seen, how fire NOC was issued. CBI had failed to investigate and interrogate the Executive Engineer of the said area despite the fact that he was stated to have been suspended due to the incident in question and on direction of the Hon'ble High Court dated 02.08.2024.

9. CBI has failed to investigate the matter regarding the role of Delhi Jal Board officials who had committed dereliction of duties in regard to the drainage system of BP-11. Even the documents relating to sewage connection were not seized by the CBI. CBI seems to be shielding corrupt officials of Delhi Jal Board and MCD. CBI has failed to collect evidence relating to maintenance of sewer lines with regard to tender dated 21.02.2024. They have also not investigated as to whether the fund allotted for the improvement/development of repair/maintenance of sewer lines was done as per law or not. As per document-77 issued by Virender Singh, Chief Fire officer dated 05.04.2022, the building BP-11 was an educational occupancy building but had illegally issued fire certificate. MCD had not sanctioned the building for educational occupancy but CBI has failed to investigate on this aspect as to how such a building could have been used for educational purposes and

prayed that protest application be allowed and CBI be directed to conduct further investigation and collect material evidences from all aforesaid angles and file supplementary charge sheet and also add offences under Section 7(a), 7(b) and 7A of Prevention of Corruption Act, 1988, Section 314, 318, 335, 336, 337, 340, 339 of the Bharatiya Nyaya Sanhita, 2023 and other relevant sections of BNS.

10. Reply to the protest application has been filed admitting that investigation of the present case was earlier being carried out by Delhi Police and later vide order dated 02.08.2024 of Hon'ble High Court of Delhi transferred to CBI and it was directed to investigate the incident of flooding in the coaching centre in Old Rajender Nagar, wherein three students lost their lives and also to probe the potential involvement of corruption or negligence/inaction by public servants or any other persons punishable under Prevention of Corruption Act or under other applicable laws and offences.

11. It is stated that FIR has been registered on a PCR call dated 27.07.2024 wherein it was mentioned that basement of the Rau's IAS Study Circle, Old Rajinder Nagar got flooded and some students were trapped and needed help. Police personnel were deputed and it was found that due to water logging, the basement was completely submerged. NDRF team went to the basement of the building and recovered three bodies which were sent for medical examination but were declared 'brought dead'. As per the postmortem reports, the cause of death of the three persons was stated to be asphyxia due to ante mortem drowning. Investigation revealed that the coaching institute by the name of Rau's IAS Study Circle was being run on lease from the owners,

in a building BP-11, Bara Bazar Road, Old Rajinder Nagar, New Delhi which has a basement, stilt/parking, ground floor, first floor, second floor and third floor. All the floors including the basement were being used by the said coaching institute and the basement was being used for the purpose of Library/Exam Hall, where students used to sit throughout the day for study as well as for taking test conducted by coaching institute. On 27.07.2024 at about 18:30 hrs, it was found that several students were studying in the library located in the basement of the said coaching institute and heavy rainfall was taking place outside. The rain water, due to sudden fall of sliding gates of main building, entered in the ground floor and some students were trapped. Few students survived but three students succumbed to drowning.

12. Thereafter show cause notice dated 04.08.2023 was issued by the Deputy Commissioner, MCD, Karol Bagh Zone to owners/occupants of the building BP-11 under the provisions of Section 345, 347 of DMC Act for misusing of property. After further investigation, involvement of accused persons was found in the offences and accordingly final charge sheet was filed under Section 61 r/w Section 7 part (c) of Prevention of Corruption Act, 1988 against accused persons. The investigation was kept open on the aspect of criminal negligence, dereliction of duties, corrupt practices indulged into by the public servants of MCD, Delhi Fire Services and other concerned authorities. After further investigation, role of officers of MCD and Delhi Fire Services in conspiracy with the owners were also found out. Thereafter sanction for prosecution in respect of accused public servants was obtained and supplementary final report was filed.

13. On merits, parawise reply was submitted stating that para

no. 1 to 6 of the application are general submissions. It is denied that IO had not conducted free and fair investigation. It is mentioned that it has been carried out in accordance with law in an unbiased and transparent manner solely based on facts and circumstances which had emerged during the course of investigation with the objective of bringing true facts before the court. It is denied that proper investigation was not carried out and it is stated that CBI had conducted the investigation completely as per law and as per the directions of Hon'ble High Court. The matter was examined from all angles and on the basis of facts emerged during the investigation, charge sheet has been filed. It is stated that the issue that building was more than 15 meters was incorrect as the same was clarified from the report of fire expert wherein it has been mentioned that the building was under 15 meters and also from the inspection report of CPWD. Therefore, the issue of valuation of norms was irrelevant. Even otherwise, the issue of fire NOC has been investigated and height of the building being under 15 meters is on record as per D-88.

14. In regard to the earlier complaints raised by certain students, it is stated that this issue has been investigated and is part of the charge sheet. It is denied that amnesty scheme was not applicable for the building in question.

15. It is stated that amnesty scheme dated 14.09.2022 of MCD, the same was applicable for the financial year 2019-2020 to 2022-2023 for non residential properties. It is further stated that Deputy Commissioner of Karol Bagh as well as concerned Engineers were examined during the course of investigation and reports have been duly submitted along with the final report. The issue of availability of underground water storage tank was also

investigated and it was found that the same was existing at the time of inspection by the fire department. They had also investigated about the role of the officials of DJB and relevant document documents D-64 to D-69 have been filed on record.

16. Investigation on aspect of repair and maintenance of the drain of the locality was also investigated and mentioned in the supplementary charge sheet and the officials of the MCD and fire department were investigated and based on their criminality have been named in the charge sheet. The matter was also investigated from the angle of nature of occupancy of the building. It was found that building was approved for business occupancy. There was no building plan of educational occupancy in respect of the building in question. Fire NOC dated 29.03.2019 was initially issued to the building being under 15 meters and statement of PW-19 was recorded in this regard which is self explanatory. The averments that the building was more than 15 meters is incorrect as Sh. P.R. Lonkar, Fire Adviser, an independent witness and fire expert who had conducted the study of the scene of crime independently and his findings have been duly submitted before the court. The issue of jali blockage was also investigated and the details of the same have been given in para 16.56 of the supplementary charge sheet. The soil testing was required to be done as per UBBL 2016 for high-rise building which was more than 15 meters and above and therefore the averments made by the applicant was incorrect. It was also found during the investigation that the drains in the area were less than 4 feet and for desilting work no tender was required and it was done departmentally. The drain which are more than 4 feet deep which is known as 'Daryai Nalla' had a self cleansing mechanism

and no desilting was required for the same. CBI has investigated the matter from all angles and have also taken into consideration the DM report but the report of DM is primarily concerned on departmental lapses, wherein may not translate into criminal misconduct on the part of the public servants, therefore the aspect of misconduct/criminal negligence was fully investigated and they had mentioned the facts in the charge sheet. They had also investigated on the aspect of their partnership deed dated 02.04.2024 which was confirmed. The company namely Rau's IAS Academy Pvt. Ltd. was incorporated on 20.05.2024 just two months prior to the incident. The matter was highlighted and investigated and the incident was pertaining to the students enrolled with M/s Rau's IAS Study Circle i.e. a partnership firm though the directors of the newly formed company and new firm were same, but the two are distinct legal entities. The applicant had raised an issue that the bills issued by the private party for fire safety purposes was suspicious as it did not have a GST number but did not give any genuine plausible ground to show that the same might have been raised after the incident in question. It is also stated that applicant had also not given any record to show that Sh. V.P. Gupta was a director of Rau's IAS Study Circle at the time of incident in question. The investigation had revealed that accused Abhishek Gupta was solely running the day to day affairs of the institute as per agreement dated 26.06.2019 and Sh. V.P. Gupta till 31.03.2024 was responsible for the financial affairs, as per the subsequent partnership deed dated 02.04.2024. The issue of nature of property was investigated and the witness PW-19 had clearly detailed the legal position in the matter. It is further stated

that applicant had mentioned that the lease deed was not proper as the signatures of one party was not available. The investigation had revealed that this ground has no justification as the accused lessee had submitted the said document to various authorities to assert his right as lessee and the lessee had also been paying the monthly rent of the said premises. Therefore absence of his signatures did not make the document illegal. Investigation had revealed that the property in question was leased out to accused partner of M/s Rau's IAS Study Circle for educational purposes. Investigation also revealed that the day to day working was only being done by accused Abhishek Gupta and he was admittedly working for the institute and neither V.P. Gupta nor Ms. Vrinda Gupta was looking into the day to day affairs of the institute, hence the ground taken by the appilcant is not legal. It is denied that the investigation was not carried out in a proper, fair and legal manner. It is stated that they have ensured the investigation to be fair, transparent and legal and in compliance with the directions of the Hon'ble High court.

17. The applicant has mainly raised five issues namely:

- (I) The sanction plan for the building BP-11 was issued by the MCD officials without following the due process of law or in a manner which completely suggested that they had issued the certificate without inspection or by ignoring the mandatory compliance to be carried out by the owners/administrator of the said building.
- (II) The building in question was admitted to be more than 15 meters in height and therefore there were many compliance which were needed to be carried out i.e. fire NOC, etc. and without the same no completion

certificate could have been issued. It is claimed that CBI had deliberately tried to show that the building was less than 15 meters.

- (III) The MCD had issued the completion certificate without proper inspection of the building and without making sure that the mandatory compliance have been carried out and therefore there was clear cut malafide and criminal intention of the officials of the MCD including the Commissioner as well as the Executive Engineer in this regard.
- (IV) There was requirement of an underground water tank which was initially not found by the fire officials but later in July mentioned that the tank was existing construction of such a large tank without demolishing of the building is not possible. The same was clearly showing that the facts were being manipulated but CBI had ignored any investigation in this regard.
- (V) Lastly, the CBI had failed to investigate the negligence or dereliction of the duties as well as illegal, malafide practices of MCD officials, fire officials and Delhi Jal Board officials, who did not properly inspect the building, did not insist on compliance of mandatory permissions of MCD Act and Fire Safety Act and did not look after the clearance of the sewer lines & proper utilization of the funds allotted to them.

18. In respect of the fact that owners have admitted that the building is more than 15 meters at the time of applying sanction plan online and is also mentioned by the BSES in their bill but CBI in their charge sheet have mentioned that the building was

less than 15 meters. This is a factual aspect and I.O. has clearly mentioned that he had got the said building measured as per by-laws and statement of witnesses have been examined. CBI has referred to witnesses relating to the fire services who had mentioned that the building is as per norms and also placed on record the CPWD report wherein the height of the building has been mentioned. In this regard, it is important to note that height of the building can vary based on the reference point of measurement. As per the master plan 144.16, the height of the building has to be measured from the ground level to the top slab. As per CPWD report the height of building as per by-laws was found to be 14.83 meters (less than 15 meters).

19. In regard to the other point that as per the building by-laws there was a requirement of an underground tank for a capacity of about 1.5 lakh liters, the earlier report of fire department mentions that it was not found but later as per the report of July, it was mentioned that the said tank was available. The applicant's case is that such a huge tank having a capacity of 1.5 lakh liters is impossible to construct underground when the building has already been completed. On behalf of the accused persons, it is stated that the tank was not required to be constructed beneath the surface but was required to be made at the underground level and in the present case since there was basement existing, the tank was constructed on the setback and if the height, length and breadth of the tank was seen, it is not impossible to construct such a tank. It is infact stated that water tank was already existing but not operational and therefore it was mentioned as not provided in the first report. Later on being operational, it was mentioned as present. CBI has also furnished explanation on this

aspect. The question is not whether it was existing at the time of first inspection or not, the question is whether in July when fire department had issued the NOC, the tank was existing and operational or not. In this regard, at this stage there is nothing on record to suggest any contrary view to the CBI submission.

20. The other issues raised are relating to illegal sanction and completion certificate of the building issued by MCD.

21. The main point for consideration in the present case arises from the fact that the occupiers of the building no. BP-11 in question known as Rau's IAS study circle (hereinafter referred as aforesaid building) were operating a coaching centre from the building which was comprised of basement, stilt, ground floor plus three floors. The same was sanctioned for residential purposes but later converted for use as business purposes and the basement was to be used for storage/parking only. The occupants without any compliance of rules or notice to the concerned authorities started using the same for coaching purposes. The Hon'ble High Court of Delhi in **Sanjay Singhal Vs. State, Govt. of NCT of Delhi & Ors. W.P. (C) 12182/2016** vide order dated 25.07.2023 had passed the following directions for coaching centres in Delhi:

“8. In the considered opinion of this court, if a coaching centre is not conforming to the norms as per the MPD, 2021, it has to be shut down and there is no other alternative resultantly, the Respondents are directed to close down all the coaching centres which are running in contravention of the MPD, 2021. The MCD will take appropriate action within 60 days and shall also be free to cancel their registration as done under Clause 15.9 of the MPD, 2021 in case they are not fulfilling the requisite conditions provided

under the MPD, 2021.

9. The MCD as well as the other Respondents are directed to ensure compliance of the aforesaid order positively within 60 days. The Police Department, the Fire Department as well as the Electricity Department shall provide all logistical support to the MCD for complying with the order passed.

10. It is needless to mention that in respect of the other commercial activities also which are presently going on in Mukherjee Nagar where registration has been granted by the MCD keeping in view the mixed use premises under Clause 15.9 of the MPD, 2021, the MCD shall scrutinize all such registrations and shall also ensure compliance of the provisions as contained under the MPD, 2021. In case other commercial activities are going on in the premises and not having a fire NOC as required under the law and are not conforming to the norms as per the MPD, 2021, the MCD shall take appropriate action in accordance with law in respect of such other commercial activities also within a period of 60 days from today.”

22. In compliance of the same, MCD conducted alleged inspection of the aforesaid building and a note dated 04.08.2023 was put up by the concerned JE through his superiors and was finally taken up by DC, MCD Karol Bagh Zone. A show cause notice was issued to the occupants of the aforesaid building and they filed reply and sought personal hearing which was allowed. Occupants were asked to obtain fire NOC and after obtaining the same, no further proceedings were carried out by the MCD. Thereafter a online complaint by one Mr. Kushwaha dated 26.06.2024 was received by the concerned department wherein he had mentioned that the basement of the aforesaid building was being used for the purpose of coaching and was prone to water

logging thereby causing serious threat to life of the students and had requested that action be taken. No action was taken and the said Mr. Kushwaha sent a reminder dated 15.07.2024 requesting for early action as life of students were involved. However, even after that no action was taken till the date of incident i.e. 27.07.2024. On this date, due to rains, water entered into the basement of the aforesaid building causing drowning and death of three students. It was revealed that the occupants of the said building had been using the basement in contravention to the rules and were not permitted to use it in any other manner except for storage/parking. Their conduct of using the basement as part of coaching center was alleged to be the cause of drowning of three students on the said date.

23. FIR was registered and investigation was carried out but thereafter a Writ Petition was filed in the Hon'ble High Court whereby vide order dated 02.08.2024, the investigation of the case was handed over to the CBI and CBI was directed to carry out full fledged investigation regarding the incident, including but not limited to the criminal negligence, dereliction of duties, corrupt practices indulged in by any person including the officials of the local authority. All authorities were expected to cooperate in the investigation as three young lives were snuffed out apparently due to greed and/or negligence and/or failure to discharge duty.

24. Prosecution has filed chargesheet and supplementary chargesheet naming JE of the Karol Bagh Zone as accused along with other persons. However, IO did not find any dereliction of duty/corrupt practice on part of any other superior official. Given the background of the case where a huge structure consisting of

more than 6 floors catering to hundreds of students was operational for numbers of years, could not have gone unnoticed by the civic authorities who have a duty to report any non-compliance or violation of laws on day to day basis. It is thus very difficult to believe that none of the supervisory officers of the said JE could have been aware of the illegal and unauthorised use of basement or even of the proceedings and inspections being carried out by their junior in compliance of directions of the Hon'ble High Court. There could possibly be a conscious effort to ignore or permit the illegal use of the basement of the said coaching institute. There seems to be no investigation on this aspect of the dereliction of duties in respect of the concerned officials of the civic authorities which allowed the occupiers of the building BP No. 11 (Rau's IAS Study Circle) to continue their illegal and unauthorised activities in the basement leading to death of three innocent students.

25. In this regard, it is important to note that the Hon'ble High Court vide order dated 25.07.2023 in **Sanjay Singhal's case (supra)** had directed the MCD to find out if any coaching centre was not conforming to the norms as per MPD 2021 and to close down all such coaching centers and take appropriate action within 60 days and also to cancel their registrations in case they were not fulfilling the requisite conditions provided under MPD 2021. The investigation in the case has revealed that the concerned JE of the zone had merely put up a photograph dated 03.08.2024 alongwith a note that the institute was not complying with the provisions of MPD 2021. The said note was taken up by respective officers in the hierarchy and finally a show cause notice was issued to the occupants. But there were no details of

inspection or violation found at site mentioned either in the aforesaid note or the show cause notice.

26. Thus, it appears that either no inspection was carried out or details of violations were specifically omitted and only a general view to circumvent or show a sham compliance of directions of orders of Hon'ble High Court was carried out. The simple note without any details clearly show that none of the higher officials as supervisory or responsible officers had even bothered to find out if there was any violation or not and also did not even ask their subordinate officers as to why they had not specified the short comings which were found by them at the site. This was important as it has been shown that the aforesaid institute was using the basement of the building unauthorisdelly as a coaching institute and the students were using it as a library and for exams.

27. It has also come on record that the area in question was a low lying area prone to water logging and flooding and there had been several incidents of flooding in the basement prior to the incident in question. It is thus difficult to believe that the entire hierarchy of the officials of the MCD would have no knowledge of the same or otherwise would have atleast pointed out the lapses on the part of the officials for not mentioning the specific non-confirming norms as per MPD 2021 in their note or show cause notice. The process followed by the officials after the issuance of show cause notice also points out to the fact that they had only asked for producing fire NOC and no further compliance was either noted or asked. Thereafter, even after they had received a complaint specifically pointing out that the coaching center was being illegally run in the basement and the

area was prone to water logging thereby causing serious danger of life to students but even then no action was initiated or contemplated by the concerned officials.

28. The IO had pointed out that due to some technical failure, the complaint was received in the concerned zone very late. However, the record perused in this regard shows that the complaint dated 26.06.2024 and reminder was received in the office of DC, MCD on 18.07.2024 but even then no action was taken till 27.07.2024 when the incident had happened.

29. In this regard, the Hon'ble High Court in terms of order dated 02.08.2024, in the present case, has specifically directed the CBI to carry out full fledged investigation regarding the incident including but not limited to the criminal negligence, dereliction of duties, corrupt practices indulged by any person including the officials of the local authority. It has also been observed that three young lives were snuffed off apparently due to greed and/or negligence and/or failure to discharge duty.

30. In terms of the aforesaid directions, the IO was duty bound to investigate on the issue of criminal negligence as well as dereliction of duties/corrupt practices. But as detailed above, the IO has not investigated from the prospective of dereliction of duties by the concerned officials in regard to the usage of the said building as coaching center in the basement. Merely to say that the lowest official in the hierarchy did not perform his duty will not suffice in the matter as it was the duty of the supervising officers to see that the necessary compliance were being carried out on the ground and also their subordinates were putting up proper and complete reports after actual inspections.

31. IO is therefore directed to carry out further investigation in

the matter regarding the issue of probable dereliction of duties/corrupt practices by the officials of the MCD which have led to the institute having continued in its illegal use of the basement, thereby being instrumental in loss of lives of innocent citizens and to file report as per law.

32. Accordingly, the present protest application is disposed off.

33. Be tagged with the main file.

34. Copy of this order be given to CBI for necessary compliance.

Announced in the open court
on 12.03.2026

(Dinesh Bhatt)
Principal District & Sessions Judge-
cum-Special Judge (PC Act) (CBI),
Rouse Avenue District Court
12.03.2026