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

+ **CONT.CAS(C) 52/2025**

RENU TOMAR

.....Petitioner

Through: Ms. Ekta Gambhir, Mr. Sandeep
Sharma, Advs.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Shivangi Kumar, Mr. Gaurav
Kumar Arya, Advs. for MCD.
Mr. Praveen Rao, Mr. Vikram Singh,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **28.03.2025**

CM APPL. 2651/2025 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application is disposed of.

CONT.CAS(C) 52/2025

1. A Status Report had been filed by respondent/Municipal Corporation of Delhi ('MCD') dated 25th March 2025. As per the Status Report, on a complaint by petitioner regarding the unauthorized construction of a lift in respect of *property DDA Flat No.4042-4049, Sector-B, Pocket 5 & 6, Vasant Kunj*, the same was inspected by the Field Staff of Building Department.
2. Pursuant to the same, as per the Status Report, it is noted that the permission for the installation of the lift was revoked, and necessary



demolition proceedings under *Sections 343 and 344 of the Delhi Municipal Corporation Act, 1957*, were initiated. The said unauthorised construction was booked on 3rd January 2024. Upon following due process, the necessary demolition order was also passed on 18th January 2024. Sealing proceedings were also initiated *vide* order dated 11th March 2024.

3. It is stated that lift had been sealed at three points on 30th December 2024. A letter dated 30th December 2024 was also issued to the SHO, Police Station Vasant Kunj (North), directing the patrolling staff to keep watch and ward over the said property/lift.

4. Liberty was given to *Mr. Vikram Singh*, who had applied for permission to install a lift to facilitate the mobility of his elderly parents, by this Court, *vide* order dated 22nd November 2024, to approach Appellate Tribunal MCD (**'ATMCD'**).

5. Accordingly, the said appeal was filed and taken on record on 6th March 2025. Noting the sealing order, the ATMCD directed the maintenance of *status quo* till the next date. The matter is now listed before the ATMCD on 21st April 2025.

6. *Mr. Vikram Singh* assisted by counsel, appears and states that they will pursue their rights in this regard, considering that the permission was originally granted by the MCD and that it is only the dispute with the petitioner that has led to its revocation.

7. Aside from their respective contentions and their right to pursue the matter before the ATMCD, counsel also states that, to bring about an amicable resolution of the dissonance between the petitioner and respondent no.2, the parties be referred to the *Delhi High Court Mediation and Conciliation Centre* in this regard. There is no objection by the counsel for



petitioner.

8. Needless to say, that this is without prejudice to rights and contentions of the parties.

9. Accordingly, the matter is referred to the *Delhi High Court Mediation and Conciliation Centre*.

10. Parties, along with counsel, shall appear before the Mediator on 14th April 2025 at 03:00 P.M.

11. Copy of this order be sent to the Organizing Secretary of the Delhi High Court Mediation and Conciliation Centre for information and necessary compliance.

12. In the meantime, the proceedings before the ATMCD shall proceed and sealing shall continue till further orders are passed in this regard.

13. List before this Court on 7th August 2025.

14. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 28, 2025/ak/tk

Click here to check corrigendum, if any