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

+ W.P.(C) 655/2016 & CM APPL. 552/2022

RAKESH KUMAR GUPTA

.....Petitioner

Through: Mr. B.S. Dhir, Ms. Shuchi Sood and
Mr. Harshit Chopra, Advs. for P-2
along with P-2 in person
M: 7827878187
Mr. Samit Khosla, Adv. for P-
1(Through VC)

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

.....Respondents

Through: Mr. Vikas Chopra, SC with Mr.
Neeraj Kumar, Adv. for MCD

+ W.P.(C) 684/2016 & CM APPL. 556/2022, CM APPL. 15563/2022

HARINDER KAUR SETHI AND ORS.

.....Petitioners

Through: Mr. Gurmehar Sistani, Adv. (Through
VC)

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

.....Respondents

Through: Ms. Shilpa Ohri, Adl. SC for NDMC
M: 9871900539
Email: shilpakapoorohri@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA



ORDER
19.05.2025

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1. There is a request for an adjournment on behalf of learned counsel for respondent no.2, who is the owner of the property in question, i.e., *1398 to 1403, Gali No. 22, Block-D, Najwala, Karol Bagh, New Delhi-110005*.
2. This Court notes that in its report dated 15th March, 2016, the Indian Institute of Delhi (“IIT Delhi”), has categorically stated that the building in question, is in dangerous condition. It is further stated that the building can be repaired, rehabilitated and restored by demolishing the older weathered portion of the building. It is stated in the report of the IIT Delhi, that until structural safety of the entire property is fully ensured, it is advisable not to use it.
3. This Court notes that the building in question is lying sealed, since the year 2016.
4. At this stage, Mr. B.S. Dhir, learned counsel appearing for the petitioner no. 2 in *W.P.(C) 655/2016*, submits he shall get the property inspected afresh from Structural Engineer from IIT Delhi, at his own cost, in order to assess the current situation of the building.
5. Accordingly, the petitioner no. 2 is granted liberty to engage a Structural Engineer from IIT Delhi, and get the property inspected at his own cost. Let this exercise be carried out within a period of ten weeks from today.
6. For this purpose the petitioner no. 2, shall make an application to the Municipal Corporation of Delhi (“MCD”) to de-seal the property temporarily, only for the purpose of inspection of the property by the Structural Engineer from IIT Delhi, in the presence of the officials of the



MCD.

7. After the inspection by the structural engineer, the report shall be filed within a period of four weeks, thereafter.

8. This Court notes that though by order dated 17th February, 2023, petitioner no. 2 was impleaded as a party before this Court, however, no Amended Memo of Parties, has been filed.

9. Accordingly, the petitioner no. 2 is directed to file an Amended Memo of Parties, within a period of one week.

10. Re-notify on 31st October, 2025.

MINI PUSHKARNA, J

MAY 19, 2025/kr