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

+ **W.P.(C) 6111/2021 & CM APPL. 35554/2025**

SHALINI CHAUDHRY SHARMA

.....Petitioner

Through: Mr. Rajat Aneja and Ms. Chandrika
Gupta, Advocates.

versus

**SOUTH DELHI MUNICIPAL
CORPORATION & ORS.**

.....Respondents

Through: Mr. Manoj K. Sharma, Advocate for
SDMC.

Mr. Bharat Gupta and Mr. Ishan
Srivastava, Advocates for R-2 & 3.

Mr. Abhishek Bhardwaj and Mr.
Deepanshu Mathpal, Advocates for
R-4 (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

28.04.2026

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1. One of the main objections raised by the respondent no.1/MCD as well as the private respondents no. 2 to 4 for non-grant of sanction plan for construction on the terrace of the First Floor is that the building in question, being *Building No.A-1/82, Safdarjung Enclave, New Delhi-110029* (hereinafter the 'subject property') is very old, i.e., the Ground Floor was constructed in 1977 and the First Floor was constructed in 2006-07 and therefore, the building will not be able to take the load of an additional floor.
2. In these circumstances, it is deemed appropriate that a report is called



from a qualified Structural Engineer so as to determine the condition of the abovesaid building, as well as the remedial steps that can be taken to strengthen the building for construction of another floor.

3. Accordingly, a direction is issued to the Registrar, Delhi Technical University (hereinafter 'DTU'), to appoint a qualified Structural Engineer to visit the subject property and submit a report to the Court, with regard to the condition, structure and stability of the abovesaid building. In this regard, the following directions are passed:

- i. The fees of the Structural Engineer shall be communicated by the Registrar, DTU, to the petitioner, who shall bear the same.
 - ii. The Structural Engineer so appointed shall visit the subject property after giving notice to the petitioner and respondents.
 - iii. The Structural Engineer shall examine the condition, structure and stability of the subject property.
 - iv. The Structural Engineer shall opine whether any floor can be constructed on the terrace of the First Floor. In the event it is found that the building is not structurally strong enough for another floor, the Structural Engineer shall examine whether any steps can be taken for strengthening of the building for construction of an additional floor.
 - v. The parties shall fully cooperate in the process.
 - vi. A report shall be filed by the Structural Engineer within four (4) weeks of the said examination of the subject property.
 - vii. Once the abovesaid report is received, the Registry is directed to release a copy of the report to the counsel for the parties.
4. List on 5th October, 2026.



5. The Registry of this Court shall serve a copy of this order to the Registrar, DTU.

AMIT BANSAL, J

APRIL 28, 2026

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