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

+ W.P.(C) 15918/2023 & CM APPLs. 64114/2023, 64116/2023

J SAGAR ASSOCIATES

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Advocate with
Mr. Buddy Ranganthan, Advocate.

versus

HOUSING AND URBAN DEVELOPMENT CORPORATION LTD
& ORS.

..... Respondents

Through: Mr. Pawanjit Singh Bindra, Sr.
Advocate with Mr. Atul Sharma, Mr.
Abhishek Agarwal and Ms. Kanika
Mittal, Advocates for R-1 and 3.

Mr. Vijay Joshi, Sr. Panel Counsel
with Mr. Shubham Chaturvedi,
Advocates for R-2.

Mr. Anuj Malhotra, Mr. Arun Batta
and Mr. Rohan Sharma, Advocates
for R-5.

Mr. Ankur Chawla, Mr. Aditya
Samaddar and Mr. R.K. Mohit Gupta,
Advocates for Impleaders.

Mr. Santosh Kumar, Delhi Fire
Service.

+ W.P.(C) 6063/2023 & CM APPLs. 23724/2023, 42015/2023,
42016/2023, 46113/2023 & 52063/2023

ANSAL PROPERTIES AND INFRASTRUCTURE LIMITED

..... Petitioner

Through:

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Pawanjit Singh Bindra, Sr.
Advocate with Mr. Atul Sharma, Mr.
Abhishek Agarwal and Ms. Kanika
Mittal, Advocates for R-2 and 3.

Mr. Arun Batta and Mr. Rohan
Sharma, Advocates for Intervener.



Mr. Ankur Chawla, Mr. Aditya Samaddar and Mr. R.K. Mohit Gupta,
Advocates for Impleaders.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.01.2024

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1. Apropos the Order dated 22.12.2023, it has now transpired that a Fire Safety Certificate dated 03.01.2024 has been issued by the GNCTD, Headquarters, Delhi Fire Service, New Delhi for a period of three years with effect from 03.01.2024. The said certificate reads as under:



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B-P 4/1



GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
HEADQUARTERS: DELHI FIRE SERVICE, NEW DELHI-110001

No. F.6/DFS/MS/Mixed/SZ/2024/ 05

Dated: 03/01/2024

FIRE SAFETY CERTIFICATE

Certified that M/s Ansal Plaza Shopping Arcades (Hudco Place) at Pinjra Pole, Andrews Ganj, , New Delhi-110037, comprised of two basements, ground plus three upper floors, but Shopping Arcade at ground plus three upper floors only was issued Fire Safety Certificate by this department vide letter No. F.6/DFS/MS/Mixed/2020/SZ/359 dated 11/09/2020. The said premise was re-inspected by the officers concerned of this department on 23/12/2023 in the presence of Sh. D.S. Saini (Consultant) and observed that the said building/premises have deemed complied with fire prevention and fire safety requirements in accordance with rule 33 of the Delhi Fire Service Rules, 2010 and that the building/premises (Ground plus three upper floors only) is fit for occupancy class "Mixed Occupancy" (Mercantile & Business) with effect from 03/01/2024 for a period of three years in accordance with rule 36 unless renewal under rule 37 or sooner cancelled under rule 40 and subject to compliance of the conditions under rule 38 of the Delhi Fire Service Rules, 2010.

Issued on 03/01/2024 at New Delhi by

(ATUL GARG)
DIRECTOR
DELHI FIRE SERVICE

Copy to: -

1. Authorized Signatory, M/s Ansal Properties & Infrastructure Ltd, 115, Ansal Bhawan, Kasturba Gandhi Marg, New Delhi-110001



2. The aforesaid certificate has been issued only in respect ground plus three upper floors of the building/premises, meaning thereby the basement and other areas of the building/premises do not have a proper Fire Safety Certificate.
3. Learned Counsel for the MCD states that action in accordance with law would be taken in respect of the areas of the building/premises which do not have a proper Fire Safety Certificate.
4. List on 11.01.2024 at 04:00 PM.
5. In the meantime, the Petitioners and HUDCO in W.P.(C) 15918/2023 and the impleaders in W.P.(C) 6063/2023 are directed to sit together in order to come to an amicable solution for issuing further directions.

SUBRAMONIUM PRASAD, J

JANUARY 4, 2024

S. Zakir