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

CNR No. DLHC010222762023

+ **CONT.CAS(C) 770/2023 & CM APPL. 66053/2023**

SURINDER SINGH & ANR.

.....Petitioners

Through: Mr. Arjun Harkauli, Mr. Fahad Khan,
Ms. Shubdha Jain and Mr. Nawab
Sahab, Advocates
Mob: 8802152841

versus

HARCHARAN SINGH

.....Respondent

Through: Mr. Siddhant Nath, Mr. Bhavishya
Makhija, Mr. Amaan Khan and Mr.
Pushkit, Advocates
Mob: 9910870397
Email: siddhantadv.nath@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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01.09.2026

1. The present petition has been filed alleging wilful disobedience of the order dated 30th September, 2016, passed by the Maintenance Tribunal (Central District) Delhi, in the case bearing no. 104/Harcharan Singh/Central/2015/1482-84.

2. The relevant paragraph of the said order, reads as under:

“xxx xxx xxx

In view of the above discussion, facts and circumstances of the case, the tribunal order as under :-

1. That the respondents shall be responsible to regulate the movement and activities of their Visitors and paying guest boys accommodated on ground, second and third floor



of the building 9A/26, WEA Karol Bagh, New Delhi, in such a manner that it doesn't cause any nuisance or hindrance in the peaceful life of the petitioner.

2. That the respondents shall provide for the petitioner a duplicate set of keys of the lock/door installed in the staircase on second floor, so that the petitioner could go upstairs to use the common open terrace to check overhead water tank.
3. That respondents shall remove CCTV cameras installed on the Second Floor of the building front and back portion as they intrude into the privacy of the petitioner and his family.
4. That the respondents shall not create any hassles or hindrance in the peaceful life of the petitioner, and allow him to live peacefully in his portion of the building.
5. That the petitioner too shall not try to enter into any other portion of the building except his portion on first floor, the petitioner shall enter only part of ground floor where his water pump is installed at reasonable time with due intimation and permission of occupants of ground floor, to check his water pump.
5. That the S.H.O. P.S. Karol Bagh, Delhi shall ensure timely compliance and enforcement of the above orders/directions, status/action taken report in this regard be sent to the tribunal within three weeks of the order. The S.H.O. shall depute beat officer for regular visit to the petitioner to ensure safety and protection to the life of the senior citizen petitioner.

xxx xxx xxx”

3. Perusal of the aforesaid order clearly shows that the petitioners herein were directed to provide to the respondent herein a duplicate set of keys of the lock/door installed in the staircase on the second floor of the property in question, so that the respondent could go upstairs to use the common open terrace of the property in question to check overhead water tank.

4. This Court is informed by learned counsel appearing for the petitioners herein that the door which had earlier been installed in the staircase of second floor has since been removed.

5. However, on a pointed query by this Court, learned counsel appearing for the petitioners admits that there exists a door for access to the terrace of the property in question.



6. Attention of this Court has also been drawn to the order dated 11th January, 2023, passed in *CONT.CAS(C) 884/2022*, titled as *Harcharan Singh Versus Mrs Ranjeet Kaur & Ors.*, filed on behalf of the respondent.

7. The relevant portions of the said order, read as under:

“xxx xxx xxx

2. Learned counsel for the Petitioner states that the Petitioner was aggrieved due to restriction on the rights of the Petitioner to access the terrace for the purpose of maintaining the water tanks.

3. In reply, learned counsel for Respondent Nos. 1 and 2 states that in order to avoid all controversy in this regard, the door to the terrace itself has been removed.

xxx xxx xxx

9. Learned counsel for the Respondent nos. 1 and 2 states that they have not interfered with the access of the Petitioner to the terrace. Respondent no. 1 and 2 are bound to the statement. In case the Respondents find there is a necessity to install a door on the terrace, for any reason, they shall firstly provide two spare keys to the Petitioner herein.

xxx xxx xxx”

8. Perusal of the aforesaid order shows that it is the categorical stand of the petitioners herein that they have not raised any hindrance to the access of the respondent to the terrace.

9. This Court further notes that the aforesaid order records the statement on behalf of the petitioners herein that they have not interfered with the access of the respondent herein to the terrace of the property in question.

10. The petitioners herein have been held bound by the aforesaid statement with regard to not interfering with the access of the respondent herein to the terrace.

11. Accordingly, it is clear the petitioners are to provide clear access of the terrace existing in the property in question to the respondent herein.



12. Accordingly, the petitioners, in terms of the previous orders passed by this Court and the order dated 30th September, 2016, passed by the Tribunal, are directed to ensure that unhindered access is given to the respondent herein to the terrace of the property in question.

13. In case, the door to the terrace is locked, the petitioner herein shall give a key to the respondent to the said lock, so that the respondent is able to access the terrace for the purposes of checking the water tanks installed therein.

14. It is clarified that this order shall not be construed by the respondent as an unhindered and free access to the terrace of the property in question.

15. The respondent shall access the terrace only in a limited manner to check the water tanks, in case need be and not for any other purpose.

16. It is further clarified that the respondent shall only access the water tanks, which as per the petitioners, are installed on the mumty of the terrace.

17. This order shall also not be construed by the respondent in any manner to obstruct the petitioners' possession of the terrace/third floor of the property in question, in any manner whatsoever.

18. With the aforesaid directions, the present petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 1, 2026/ak