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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1232/2016

JAI PRAKASH RAWAT & ORS

..... Petitioners

Through: Mr. Beer Singh Negi, Advocate with
Mr. B.K. Poddar, Advocate

versus

THE ADMINISTRATOR (LT. GOVERNOR)

NCT OF DELHI & ORS

..... Respondents

Through: Mr. Devesh Singh, Advocate for
respondents No.3 and 4.

Mr. Parmod K. Sharma, Advocate with
Ms. Alisha and Mr. Prashant, Advocates
for respondent No.5.

Mr. Arjun Pant, Advocate for DDA.

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Date of Decision: 19th February, 2016

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

J U D G M E N T

MANMOHAN, J: (Oral)

CM Appl. 5421/2016 (for exemption) in W.P.(C) 1232/2016

Allowed, subject to just exceptions.

W.P.(C) 1232/2016 & CM Appl. 5420/2016

1. Present writ petition has been filed seeking a direction to respondents No.1 and 2 to execute Deeds of Apartment in favour of the petitioners in

respect of their apartments in Suneja Towers-II, Plot No.12, District Centre, Janak Puri, New Delhi-110058 and to further direct either the respondents No.1 and 2 to take over the administrative affairs of the apartments and management of common areas or to hand over the same to respondent No.5-association. Petitioners further seek quashing of order dated 11th December, 2015 passed by the Chief Fire Officer, Delhi Fire Services holding that the above-mentioned building was not safe for occupancy and ordering disconnection of electricity and water supply.

2. After some arguments, learned counsel for petitioners states that the petitioners would remove all the deficiencies pointed out by the Chief Fire Officer and would thereafter make a representation to the Chief Fire Officer to withdraw the impugned order dated 11th December, 2015.

3. In the opinion of this Court, the statement made by learned counsel for petitioners is fair and reasonable.

4. As far as the relief with regard to the handing over of possession and management of common area and facilities is concerned, this Court is of the opinion that it is an inter se dispute between private parties which needs to be agitated in an appropriate forum in accordance with law.

5. As far as the prayer for execution of Deeds of Apartments is concerned, this Court finds that a Division Bench of this Court has reserved its judgment in *Review Petition 394/2015* in *O.S. Bajpai Vs. The Administrator, Lt. Governor*.

6. Liberty is granted to the petitioners to agitate this grievance before this Court after the Chief Fire Officer has withdrawn the aforesaid order and the Division Bench has pronounced its judgment in the review petition.

7. With the aforesaid liberty and observations, the present writ petition and application are disposed of. Petitioners are directed to remove the deficiencies pointed out by the Chief Fire Officer and thereafter to approach him for withdrawal/modification/variation of the order dated 11th December, 2015.

Dasti under the signature of Court Master.

MANMOHAN, J

FEBRUARY 19, 2016

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