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

+ **W.P.(C) 6807/2016**

MERCURY GENERAL CORPORATION PVT. LTD.

..... Petitioner
Through Mr.Mohit Mathur, Sr. Adv. along
with Mr. Amish Dabas and
Ms.Shreya S.Dabas, Advocates.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents
Through Mr.Kapil Dutta, Advocate for R-1.
Mr.Rishikesh Kumar, ASC for R-2
and R-3.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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05.08.2016

C.M. No.27958/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 6807/2016 & C.M. No.27957/2016

Petitioner is stated to be the owner of building No.2292-2336, Peeli Building, Arya Samaj Road, Karol Bagh, New Delhi. The building is stated to be in a dilapidated and in fact in a dangerous condition. There is imminent possibility that the building may fall at any point of time because of ongoing monsoon season this

presumption has become stronger. The petitioner has repeatedly written to the Statutory Body i.e. the NDMC but his letters have not been addressed in the proper manner. He has referred to the letters dated 08.4.2015, 03.02.2016 and another reminder dated 12.02.2016. Further submission in the writ petition being that in fact a portion of the building collapsed on 28.7.2016 pursuant to which on a complaint of one of the occupant a criminal case has also been registered. This information was also given to the respondent on 29.7.2016. The petitioner is apprehensive that in case of any other mishappening, he might be roped in and he does not want to take this risk.

On advance notice, learned counsel for the respondent has put in appearance. He does not dispute the fact that the building is in a dangerous condition. In fact the photographs filed on record do substantiate the submission of the petitioner.

The submission of the respondent on this count being that before a building is declared dangerous and the occupants are directed to vacate the building, a notice to the occupants (which according to the petitioner would be 27-28 separate families).

The respondent in this scenario undertakes to take action in accordance with law after giving show-cause notice to the occupants of the property. The respondent will complete his action within a time bound framed of six to eight weeks.

Meanwhile, the respondent will not disturb the status of the property and no encroachment/additional construction will be permitted except what is necessitated in view of the ongoing monsoon season.

No further orders are called for in this petition.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

AUGUST 05, 2016

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