

\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 11312/2015
PRAVIN SHARMA Petitioner

Through: Mr. Avneesh Garg, Mr. Kirat Singh
and Ms. Kanika Sharma, Advs.

versus

GARG TRADE CENTRE & ORS. Respondents

Through: Mr. Abhimanyu Singh, Adv. for R-1.
Ms. Nandita Abrol and Ms. Vrishti
Gupta, Advs. for R-2.
Mr. Dhanesh Relan and Ms. Akshita
Manocha, Advs. for R-3.
Mr. Sanjoy Ghose, ASC with Mr.
Yash S. Vijay, Adv. for R-4 & R-5.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

02.05.2016

Status reports have been filed by the respondent nos. 3 to 5. Short affidavit has been filed by the respondent no.1. Respondent no. 3-Delhi Development Authority has stated in its status report that ongoing construction work of multi level parking is in progress, as per the sanctioned building plan and no violation is noticed. Entry and exit gates were found operational as per the approved plan.

In the status report of respondent no. 4-Delhi Fire Services (DFS), it is submitted that DFS clears building plans at the conceptual stage, on receipt of reference from the building sanctioning authority and gives fire safety

recommendations, which are, subject to verification as per the fire safety norms at the time of completion and before the issuance of Fire Safety Certificate. During the construction work, it is not possible to verify the compliance of the fire safety arrangements, issued at the time of approving the plans. DFS is not the competent authority to have a check on the construction activities in terms of FAR, legality of construction, provisions for parking etc.

Respondent no.1 has stated that construction activity undertaken at the site is in pursuance of the sanctions accorded by all related competent authorities. Counsel for respondent no.1, on instructions, submits that all the four gates of the mall remain open all the time and are closed some time for traffic management.

Respondent no. 5, in its status report, has stated that annual joint inspection/Bi-annual joint inspections of the cinema halls in Delhi is being carried out by the civic agencies along with the licensing authority. As per the inspection conducted by Building Department, DDA on 2nd December, 2014 and 1st June, 2015, no unauthorised construction/shortcomings were noticed. The cinema premises was also inspected by the staff of licensing unit on 9th December, 2015 and nothing adverse was found at the time of

inspection.

In view of above status reports, no further orders are required to be passed in the writ petition. Petition is disposed of.

A.K. PATHAK, J.

MAY 02, 2016
ga