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

+ W.P.(C) 7680/2016 & CM 18130/2017

DURGAWATI JAISWAL Petitioner

Through: Mr. Sanjoy Ghose, Mr. Anuj
Aggarwal, Advs.

versus

NORTH DELHI MUNICIPAL
CORPORATION AND ORS

..... Respondents

Through: Mr. Sanjeev Sabharwal, Standing
Counsel for North DMC with Mr.
Hem Kumar, Adv.
Mr. Ashok Gurnani, Mr. Syed Nazir
Ali, Advs. for respondents no.3 to 11.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **22.05.2017**

1. The petitioner has approached this Court for declaring property bearing No.1320-1321, Nagina Mahal, Farash Khana, Delhi-110006 as a dangerous building; directing respondents no.3 to 11 to vacate the same and after the vacation, the building be demolished under Sections 348 read with Section 349 of the Delhi Municipal Corporation Act, 1957.
2. Respondents no.3 to 11 are the occupants of the aforesaid property and they submit that they have carried out the necessary repairs and building is no more dangerous.
3. North Delhi Municipal Corporation has confirmed on affidavit dated 2nd December, 2016 that the portion declared dangerous has been repaired and is no more dangerous.
4. Learned counsel for the petitioner disputes the stand of the respondents and submits that the structural engineer be appointed to test the

structural safety of the building.

5. Learned counsel for respondents no.3 to 11 submits that this writ petition is ploy to somehow evict the respondents no.3 to 11 which is disputed by learned counsel for the petitioner.

6. Learned counsel for respondents no.3 to 11 submits that they would keep the subject premises in a good condition.

7. This Court is of the view that in view of the stand taken by North Delhi Municipal Corporation, the writ petition does not warrant any further direction by this Court.

8. The writ petition and pending application are disposed of. The petitioner is at liberty to pursue her remedies against respondents No.3 to 11 in accordance with law.

J.R. MIDHA, J.

MAY 22, 2017

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