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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11968/2023 and CM APPL. No.46923/2023**

NARINDER KUMAR ANAND

.....Petitioner

Through: Mr.Rajesh Yadav and Mr.Mohit
Mathur, Senior Advocates with Mr.
Vishal Maan and Mr.Gyanendra
Rathour, Advocates

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr.Siddhant Nath, Standing Counsel
for MCD with Mr.Bhavishya
Makhija, Advocate for MCD
Mr.Madhu Sudan Bhayana and
Mr.Madhav Shah, Advocates for R-5
to R-10

+ **W.P.(C) 11969/2023 and CM APPL. No. 46925/2023**

SH RAJAN WAHAL

.....Petitioner

Through: Mr.Rajesh Yadav and Mr.Mohit
Mathur, Senior Advocates with Mr.
Vishal Maan and Mr.Gyanendra
Rathour, Advocates

versus

MUNICIPAL CORPORATION OF DELHI AND ORS. Respondents

Through: Mr.Siddhant Nath, Standing Counsel
for MCD with Mr.Bhavishya
Makhija, Advocate for MCD
Mr.Madhu Sudan Bhayana and
Mr.Madhav Shah, Advocates for R-5
to R-10

+ **W.P.(C) 11970/2023 and CM APPL. No. 46927/2023**

MEENA SAINI

.....Petitioner



Through: Mr.Rajesh Yadav and Mr.Mohit Mathur, Senior Advocates with Mr. Vishal Maan and Mr.Gyanendra Rathour, Advocates

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondent

Through: Mr.Siddhant Nath, Standing Counsel for MCD with Mr.Bhavishya Makhija, Advocate for MCD Mr.Madhu Sudan Bhayana and Mr.Madhav Shah, Advocates for R-5 to R-10

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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02.09.2024

1. The parties have made extensive submissions with respect to the controversy involved in this batch of writ petitions.
2. On one hand, learned senior counsel for the petitioner points out various objections and violations in the office order dated 17.08.2023, while on the other hand, learned counsel appearing for the private respondents asserts that the Corporation has rightly accorded the permission on 17.08.2023 and the same is strictly in accordance with the applicable rules and regulations.
3. The Court has considered the submissions to some extent and finds that if the matter is relegated back to the Corporation, the Corporation can re-visit its decision dated 17.08.2023 after hearing all the stakeholders.
4. At this stage, learned counsel who appears for the private respondents further submits that the permission was granted on 17.08.2023 and on



account of stay granted by this Court, the installation of the lift has not yet progressed. He, therefore, submits that the Corporation be directed to decide the matter in a time-bound manner.

5. In view of the aforesaid, leaving all the rights and contentions open, the Court deems it appropriate to dispose of the writ petitions with the following directions:-

- i. Let all the petitioners file one detailed common objections, before the Corporation, along with supporting documents within a period of 7 days from today with an advance to the private respondents.
- ii. Let the private respondents be also allowed to file their replies to the common objection within a period of 7 days from the date of filing of the objections.
- iii. After receiving the common objections and response/reply thereto from the private respondents, let the Corporation decide as to whether the permission is to be granted or refused in accordance with the applicable policy within a period of 4 weeks thereafter.
- iv. The permission dated 17.08.2024 shall remain in abeyance till the Corporation passes a fresh order and the same shall be subject to further orders to be passed by the Corporation.

PURUSHAINDR KUMAR KAURAV, J

SEPTEMBER 2, 2024

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