



2024:DHC:8030



\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 14.10.2024*+ **W.P.(C) 12176/2019****D. D. JOSHI**

.....Petitioner

Through: Petitioner in person.

versus

AKASH BHARATI CGHSL AND ORS.

.....Respondents

Through: Mr. Fateh Singh Bhullar, Adv. for
Mr. Divyam Nandrajog, Panel
Counsel R-4.**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. The Petitioner appears in person and submits that disputes between the Petitioner and Respondent Nos. 1 to 3 have been settled and the only issue that remains in the present Petition is in relation to prayer "4" by which the Respondents were directed to inspect the fire safety arrangements made within the society. Prayer 4 reads as follows:

"4. direct the Respondent No.1,2,3&4 to inspect and ensure that appropriate fire safety arrangements are made in the society;"

1.1 The Petitioner submits that the Respondent No.4, i.e., Delhi Fire Service may be directed to conduct the inspection.

2. Learned Counsel appearing on behalf of Respondent No.4/Delhi Fire Service submits that the Respondent Society is a low rise building and does not come within the category of buildings which are likely to cause a fire risk. Reliance is placed on sub-Rule (2) of Rule 27 of the Delhi Fire Services Rules, 2010 [hereinafter referred to as the "DFS Rules"].

3. Rule 27 Sub-Rule (2) of DFS Rules states that residential buildings



2024:DHC:8030



(other than hotels and guest houses) having a height of more than 15 meters or having ground plus four upper stories, including a mezzanine floor are covered by the DFS Rules in the class of occupancies likely to cause a risk. Sub-Rule (2) of DFS Rules is set out below:

“27. Classes of occupancies likely to cause a risk of fire

...

(2) Residential buildings (other than hotels and guest houses) having height more than 15 meters or having ground plus four upper stories including mezzanine floor...”

4. Learned Counsel for the Petitioner does not dispute the fact that the Building in issue is a residential building, which is less than 15 meters in height.
5. In view of the foregoing discussions prayer 4 of the Petition cannot be granted. Since the remaining prayers in the Petition have already been satisfied, nothing remains to be adjudicated in the Petition.
6. The Petition is accordingly disposed of.
7. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

OCTOBER 14, 2024/r