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

+ **W.P.(C) 14789/2024**

PUKHRAJ SINGH CHUG

.....Petitioner

Through: Mr. Jayant K. Mehta, Senior
Advocate with Mr. Prashant
Pakhiddey and Mr. Manav Gill,
Advocates.

versus

DIRECTOR DELHI FIRE SERVICE & ORS.Respondents

Through: Mr. Sameer Vashisht, ASC (Civil),
GNCTD for R-1, 2.
Mr. Manish Biala and Mr. Devesh
Ratan, Advocates for R-4.
Mr. Kapil Dutta, Advocate for MCD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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19.11.2024

CM APPL. 67140/2024 (for modification of order dated 23rd October, 2024)

1. The Petitioner has pointed out two typographical errors which have crept in order dated 23rd October, 2024 while disposing of the instant writ petition. The errors pertain to the date of the inspection by the MCD as well as the date of the order passed by the MCD, mentioned in paragraph Nos. 6 and 7. Accordingly, after hearing the counsel for the parties, the present application is allowed with a direction that paragraph No. 6 and 7 of the order dated 23rd October, 2024, shall now read as under:

“6. Mr. Ajjay Aroraa, counsel for MCD, acknowledges that the action of the MCD was based on the aforementioned impugned communication issued



by DFS. He further states that MCD had inspected the building in question for any unauthorised construction on 25th October, 2023 and therefore passed the order dated 01st April, 2024. Nevertheless, he submits that in case the Petitioner has any grievance against the said order of the MCD, the appropriate remedy lies in filing a statutory appeal before the Appellate Tribunal, MCD.

7. In view of the foregoing, it is directed that the communications dated 21st May, 2024, and 4th July, 2024 shall not be construed as determinations by the DFS regarding compliance under the DFS Rules. Consequently, the MCD is not obligated to pursue any actions specifically related to fire safety compliance based on these communications. As for any alleged violations of building regulations referenced in the MCD's order dated 01st April 2024, the Petitioner is at liberty to raise their concerns before the appropriate statutory forum, if so advised.

2. With the above directions, the present application is disposed of.

SANJEEV NARULA, J

NOVEMBER 19, 2024

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