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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1119/2025**
TRIPTA SHARMAPetitioner

Through: Ms. Akshya, Advocate.
versus

MUNICIPAL CORPORATION OF DELHI
& ORS.Respondents

Through: Mr. Siddhant Nath, Advocate for
MCD.
Mr. Tushar Sannu and Mr. Nikhil Kadha,
Advocates for DDA.
Mr. Neeraj Dubey, SPC for R-3.
Ms. Meghna Kar, Advocate for R-4.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
29.01.2025

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CM APPL. 5558/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 1119/2025 & CM APPL. 5557/2025

3. This writ petition is preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India seeking a direction to MCD to demolish the alleged illegal and unauthorized installation and construction of a lift in building bearing No. 8664, C-8, DDA Flats, Vasant Kunj, New Delhi.
4. Issue notice.
5. Counsels, as above, accept notice on behalf of the respective Respondents.
6. Learned counsel for the MCD, on instructions, submits that there is



some substance in the grievance of the Petitioner ventilated in this writ petition that the lift in question is not constructed in accordance with the permission granted by MCD. Stand of MCD is strenuously refuted by learned counsel for Respondent No. 4, who submits that there is no violation or unauthorized construction lift has been constructed as per the permission granted and in consonance with the National Building Code, 2016.

7. At this stage, it is agreed between the parties that MCD will inspect the lift in question to ascertain if the lift has been constructed in accordance with the permission granted by MCD and is compliant with National Building Code, 2016 and prevalent IS Codes for Seismic Zone IV and accordingly, prepare a report. Thereafter the Petitioner and Respondent No.4 shall be called for a personal hearing, for which time, date and venue will be intimated to both the parties. Further action will be taken by MCD in accordance with law and both Petitioner and Respondent No.4 will be at liberty to take recourse to legal remedies in case of any grievance.

8. Writ petition is disposed of along with pending application.

JYOTI SINGH, J

JANUARY 29, 2025/shivam