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

+ **W.P.(C) 7871/2020**

PREM KUMAR SINHA

.....Petitioner

Through: Mr. Tushar Sharma and Mr. Tarun Verma, Advocates
Mob: 9899832019
Email: vtarun1201@gmail.com

versus

SDMC & ANR.

.....Respondents

Through: Mr. Sriharsha Peechara, SC with Mr. Akshat Kulshreshtha and Mr. Akhilesh, Advocates for SDMC
Mob: 9717466788
Email: shpeechara@gmail.com
Ms. Latika Malhotra, Counsel for Respondent/DDA

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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21.05.2025

1. The present writ petition has been filed for directions to the respondents to remove the illegal construction and the overhead water tanks, i.e., two 1000 litres water tanks, kept by the owner of *Flat no. C-7 situated in Usha Niketan, Hauz Khas, New Delhi-110016*. The same is causing obstruction towards construction of a connecting bridge on the floor of *Flat no. C-8*, owned by the petitioner.
2. Learned counsel appearing for the petitioner today submits that as far as the prayer made in the present writ petition is concerned, the same has



become infructuous. He submits that the ‘No Objection Certificates’/‘Completion Certificates’ have already been issued by the primary members, who had contributed towards the construction of the lift in question.

3. He submits that pursuant thereto, the petitioner has already filed an application before the Municipal Corporation of Delhi (“MCD”), for extending the benefit of already existing lift, to the flat of the petitioner also, which is situated on 3rd floor.

4. He has handed over copy of the communications dated 5th March, 2025 and 16th April, 2025, issued by Office of Executive Engineer (Building)-1, South Zone, MCD, to submit that things have not progressed on account of the fact that the files with regard thereto, are not available with the MCD. Though the MCD has already written to the Delhi Development Authority (“DDA”) for supply of the requisite documents, however, the same has not been done, as yet.

5. Accordingly, it is directed that the MCD and DDA shall expedite the process of coordinating with each other and take a considered decision on the application of the petitioner.

6. Noting the aforesaid, no further orders are required to be passed in the present writ petition.

7. The present writ petition is accordingly, disposed of.

MINI PUSHKARNA, J

MAY 21, 2025

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