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

+ **W.P.(C) 13995/2023 & CM APPL. 70290/2024**

SANJIWAN SAHNI

.....Petitioner

Through: Ms. Warisha Farasat and Ms. Suvarna Swain, Advs.
M: 9007861884
Email: sswain@farasatlaw.com

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.Respondents

Through: Mr. Vipul Ganda, ASC with Mr. Vikrant Pachnanda, Mr. Mukul Katyal, Mr. Ishan Upadhaya, Ms. Sakshi Panwar, Ms. Nirti Dua and Ms. Arpita Sahu, Advs. for R-1
Mr. Arjun Pant, Adv. for DDA
M: 9811071260
Mr. N.K. Aggarwal, SPC with Ms. Sanjana Antil, Adv. for R-3 (Through VC)
Mr. Bharat Gupta and Mr. Ishan Srivastava, Advs. for R-5
M: 9810444651

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
04.07.2025

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1. The present writ petition has been filed with prayer for direction to the respondents to consider the re-development of Dakshineshwar Building, which is situated at 10, Hailey Road, New Delhi.
2. Learned counsel appearing for the petitioner submits that building



was constructed way back in 1971 and is a very old building. She draws the attention of this Court to the Structural Stability Certificate dated 01st September, 2020, issued by IIT Delhi, which has been attached along with the rejoinder to submit that the Structural Engineer from the IIT Delhi has also confirmed the fact that major rehabilitation must be done immediately to make the building compliant for the norms of the current Code of Structural & Earthquake Safety as prescribed in the seismic codes.

3. Thus, she submits that it is imperative that the building in question is re-developed so that the building is safe for occupancy of the occupants therein.

4. Responding to the same, learned counsel appearing for the respondent no.1-New Delhi Municipal Council (“NDMC”) submits that the respondent no. 1 has no objection to any re-development of the building being done by the petitioner, in accordance with law. However, he submits that no such proposal or application has been received by the respondent no. 1. He submits that as and when any application is filed by the petitioner in that regard, the same shall be considered by the respondent-NDMC, in accordance with law.

5. Learned counsel appearing for respondent no. 1 further submits that the process for filing any application for re-development or construction is an online process, and the petitioner is required to follow the same.

6. At this stage, learned counsel appearing for the petitioner submits that the petitioner shall take steps for the purposes of filing a proposal or application for re-development with the respondent no.1.

7. Accordingly, the petitioner is at liberty to file a proposal or application through the authorized association/entity, for re-development in



accordance with law, and file the same through online process of respondent no.1.

8. As and when such proposal or application is received by the respondent no.1 for re-development of the building in question, the same shall be processed accordingly. In case there is any discrepancy in the said proposal/application of the petitioner through authorized association/entity, or any other documents/compliances need to be done by the authorized association/entity, the same shall be intimated by the NDMC to the authorized association/entity.

9. Considering the aforesaid, no further directions are required to be passed in the present matter.

10. Needless to state in case the petitioner through its authorized association/entity, is aggrieved by any action/order of the NDMC or any other authority, the said authorized association/entity would be at liberty to seek remedies, in accordance with law.

11. With the aforesaid directions, the present petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

JULY 4, 2025/KR