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

+ **W.P.(C) 8125/2023**

MUKESH KUMAR

.....Petitioner

Through: **Mr. S. D. Windlesh, Adv.**

versus

RETREAT CO-OP. GROUP HOUSING SOCIETY LTD AND ORS

.....Respondents

Through: **Mr. Raghvendra Upadhyay, Panel
Counsel for GNCTD, Ms. Purnima
Jain & Mr. Madhur, Advs. for R-2 &
3.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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15.01.2026

CM APPL. 2618/2026 (filed by the petitioner for ex-parte stay)

1. The petitioner's case is that respondent no. 1 is a registered society governed by the Delhi Co-operative Societies Act, 2003 and all the statutory Rules and Regulations applicable to high rise/multi-storeyed buildings in Delhi. However, despite the same, respondent no. 1 is not adhering to the mandatory requirements under the Delhi Fire Services Act, 2007 and the directions issued by the Director, Delhi Fire Service *vide* letters dated 14.01.2020 (Annexure P-5) and 31.12.2021 (Annexure P-8).
2. Learned counsel appearing for the petitioner also submits that various applications and representations have been made to respondent no.3. He also submits that in the interregnum, even the Municipal Corporation of Delhi



(MCD) has passed directions to respondent no. 1 for stopping the constructions. He, therefore, contends that in view of the facts and circumstances, respondent no. 3 is under an obligation to take appropriate action.

3. Having considered the nature of the grievance and the fact that respondent no. 3 has not passed any order with respect to the petitioner's grievance, it would be appropriate to direct the said respondent to consider the petitioner's application or representation and to take it to its logical conclusion.

4. Accordingly, the petition stands disposed of with the following directions:

- i. Let the petitioner to approach respondent no.3 by way of a fresh application, all earlier communications, and a copy of this petition within a period of two days from today.
 - ii. On the petitioner's compliance with direction no.i, let respondent no. 3 to take appropriate action in accordance with law under due intimation to the petitioner.
 - iii. If need arises, let respondent no. 3 to extend an opportunity of hearing to other stakeholders as well.
 - iv. If the petitioner, thereafter, has any grievance, he shall be at liberty to take recourse in accordance with law.
5. The date already fixed i.e., 13.04.2026 stands cancelled.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 15, 2026

P/AMG