



\$~20

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 4248/2023 & CM APPLs. 16494/2023, 27316/2023

MEENAKSHI THANGATHURAI & ORS.Petitioners

Through: Mr. Ninad Laud, Mr. Shivam Garu,
Mr. Kshitij Joshi, Mr. Aryan Kumar,
and Mr. Karian Mathur, Advs.

Versus

MUNICIPAL COROPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Siddhant Nath, Adv. for R-1
Ms. Shobhana Takiar, Adv. for R-2 to
4
Mr. N.L. Ganapathi, Ms. Rini V.
Tigga and Mr. Amogh S. Rao, Advs.
for R-5
Mr. Harkirat Singh, Adv. for
Intervener

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

%

04.09.2024

1. One of the grievances raised by the petitioners appears to be with respect to the safety of the building itself.
2. Learned counsel appearing on behalf of the petitioners submits that there has to be some report by the expert who can assist as to whether the building, where the lift is sought to be installed, can bear the load of the lift and installation of the lift would not jeopardise the overall structural safety of the building. He submits that the policy in question does not stipulate any such provision.



3. The grievance raised by the petitioners appears to be reasonable.
4. The Court is of the opinion that while passing appropriate directions, the Corporation can ask for the report from structural engineer with respect to the aforesaid aspect.
5. At this stage, learned counsel for the petitioners raises certain grievances with respect to the location of the lift as well.
6. He submits that the entire decision for installation of the lift has been taken behind the back of the petitioner. He, further submits that he is not opposed to the lift installation per-se however, if the respondents considered his suggestion/submissions, the same may perhaps resolve the controversy.
7. Learned counsel for the Corporation however, asserts that the permission for installation of the lift has been granted strictly in accordance with the policy and there is no violation of the any norms as such.
8. The Court, after hearing learned counsel for the parties, finds that there is a possibility of resolving the dispute amicably. The Court, therefore, without prejudice to the rights and contentions raised by the parties, refer the matter to *Delhi High Court Mediation Centre*.
9. Let a Senior Mediator be appointed who shall interact with the parties and try to resolve the matter amicably. If the Mediator finds that certain directions are required to be passed by the Court to facilitate the mediation, he can indicate the same in his report.
10. The Competent Officer of the Corporation is directed to attend the mediation proceedings alongwith duly appointed Counsel.
11. List before the *Delhi High Court Mediation and Conciliation Centre* on 18th September, 2024 at 3:00 p.m.
12. In the meantime, if the mediation is not successful, the parties are



directed to complete the pleadings.

13. List before the Court on 24th October, 2024.

PURUSHAINDRA KUMAR KAURAV, J.

SEPTEMBER 4, 2024

p'ma