

(2020) 02 DEL CK 0254

In the Delhi High Court

Case No : Civil Writ Petition No. 2085 Of 2018

Sunil Kumar Aledia

APPELLANT

Vs

Chairman Dusib & Ors

RESPONDENT

Date of Decision : 18-02-2020

Acts Referred:

Citation : (2020) 02 DEL CK 0254

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; C. Hari Shankar, J

Bench : Division Bench

Advocate : Kriti Kumari, Parvinder Chauhan, Nitin Jain, Pradeep Kr. Bhagwani,
Anupam Srivastava, Anil Soni, Rajesh Kumar Shukla

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

W.P.(C) 2085/2018

1. This Public Interest Litigation has been preferred with the following prayers :

â??(A) Issue a writ of mandamus or any other writ directing the respondents to conduct an immediate fire safety audit of all the Shelter

Homes in Delhi by the Chief Fire Officer or any other officer designated by him.

(B) Issue a writ of mandamus or any other writ directing the Chief Fire Officer of Delhi to lay down minimum fire safety Norms for the

Temporary Homeless Shelters/Homeless shelters.

(C) Issue a writ of mandamus or any other writ directing the respondent to take immediate steps to convert all the Temporary homeless

shelters into permanent Night Shelters as per the Guidelines of the DAY National Urban Livelihood Mission Shelter for Urban Homeless.

(D) Issue a writ of mandamus or any other writ directing the respondents for an electricity Connection audit to be immediately done by the

respective Electricity Suppliers and DUSIB in each area and provision for appropriate electricity connection and safety be made.

(E) Issue a writ of mandamus or any other writ directing the respondent DUSIB to make the Provision for the Fireproof and Waterproof

tents be made for the Temporary Shelters.

(F) Issue a writ of mandamus or any other writ directing the respondent DUSIB to make the immediate provision for the fire fighting

equipments and training be made for the Care Takers of the Homeless shelters.

(G) Pass an order directing that Tendering by auctioning be immediately be abolished and empanelment of good and reputed organisations

be done to run the Homeless shelters with appropriate facilities

(H) Pass an order directing immediate Investigation of the incident of death of the 3rd March 2018 at Dandi Park Campus, Near

Nigambodh Ghat, New Delhi and a report of the same be submitted to this Hon'ble court.

(I) Pass any such directions or order which this Hon'ble court deems fit and proper in the facts and circumstances of the above mentioned

case.

2. Having heard learned counsel for both the sides and looking to the affidavits and the status reports filed by the respondent no.1, especially status

report dated 14th February, 2020, paragraphs 4 and 6 thereof read as under :

4. That in this regard, it is pertinent to mention here that DUISB has established and maintains as many as 233 Night Shelters. The

breakup of those Night Shelters is under:

A. RCC/Pucca Building: 78

B. Porta Cabin: 114

C. Temporary/Tented: 41

6. That as such, as on the date of swearing of this affidavit, as many as 217 night shelters, comprising 176 Permanent or Porta Cabins and

41 Pagoda Tents Shelter Homes, as provided, are fully in compliance of recommendations made by Delhi Fire Service. The work to make

another 11 Shelter Homes to make it fire-compliant norms is on and shall

complete by 30/04/2020.â??

3. In view of the aforesaid facts, it appears that in 217 Night Shelters there is already due compliance of the fire safety norms. So far as 11 shelter

homes are concerned, the fire safety norms will be complied with on or before 30th April, 2020 and for remaining 5 night shelter homes, the fire safety

services are not technically feasible because of prevailing conditions at those 5 night shelters.

4. Looking to the steps already taken by the respondent no.1 with regard to fire safety measures in the Night Shelters, we see no reason to further

monitor this case. It is expected from the respondents that these fire safety measures already installed by the respondents will continue in future and

the equipment already applied at those Night Shelters will be maintained properly by the respondents.

5. With these observations, this writ petition is hereby disposed of.