

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.09.1997

Date Of Hearing : 21.09.2026

Complainant : Rudrakshi Warikoo (Dairy No.3581/8/26)

Respondent : The Commissioner,
Municipal Corporation of Delhi,
Dr. Shyama Prasad Mukherjee Civic Centre,
Minto Road, New Delhi – 110002.

Grievance No. : PGC/2026/A-II/MCD/639

1. Brief facts of the complaint

The complainant has filed the present grievance alleging illegal action by the Municipal Corporation of Delhi (MCD) in respect of renovation works undertaken at her flat bearing No. G-197, DDA Flats, Sarita Vihar, New Delhi. She alleges that MCD issued illegal and backdated notices under Sections 349 and 435 of the DMC Act, declaring her renovated flat unsafe on the basis of complaints reportedly made by the owner of Flat No. 198, and thereafter dismantled certain portions of her property, causing damage thereto.

2. Proceedings in the Public Grievance Commission

The PGC has convened the 1st hearing in the matter on 21.09.2026.

3. Facts emerged during the proceedings

Both the parties are duly represented. The complainant is present in person, and Shri P.K. Chauhan, AE, Building, MCD is present on behalf of the respondent department. The Complainant was heard at length. She stated that she had filed an Addendum dated 15.09.2026 with the Commission on 16.09.2026, in which she has consolidated the reliefs sought by her under the following six points:

- 1) Restoration and reconstruction of the portions allegedly dismantled or damaged as a consequence of the action taken by the MCD;

- 2) Repair of the consequential damage allegedly caused to her property and removal of pipes and outlets of neighbouring flats stated to be discharging onto her flat without her consent;
- 3) Compensation for the alleged material and financial loss suffered by her, including the stated escalation in the cost of renovation;
- 4) Compensation or other relief for the alleged harassment and mental agony suffered by her;
- 5) Reimbursement of the legal expenses incurred by her in proceedings before the Hon'ble High Court of Delhi; and
- 6) Fixing of accountability upon the officials concerned if an investigation establishes wrongful action, selective enforcement, negligence or abuse of authority.

The Complainant was informed that Reliefs No. 3, 4 and 5 constitute claims for compensation, damages and reimbursement of legal expenses, and that the adjudication and award of such monetary claims does not fall within the jurisdiction of the Public Grievances Commission. The Complainant is at liberty to pursue such claims before an appropriate court of law. It was further explained that the Commission does not adjudicate disputes between private parties or determine property rights and liabilities. Accordingly, insofar as Relief Nos. 1 and 2 seek relief against the residents of neighbouring flats, these claims cannot be adjudicated in the present proceedings.

However, Relief Nos. 1 and 2 may be examined by the MCD to the limited extent that they concern the consequences of action taken by its officials or allege the existence of pipes or outlets that may be in violation of applicable municipal law. With respect to Relief No. 6, the MCD is to review its official record and examine the conduct of its officials pertaining to the action taken at Flat No. 197, Pocket G, Sarita Vihar, New Delhi, and report whether the said action was taken in accordance with the applicable provisions and prescribed procedure.

The Complainant furnished copies of Show Cause Notice under Section 344(1) and 343 of the DMC Act, 1957 dated 30.01.2019, Vacation Notice under Section 349 of the DMC Act, 1957 dated 24.07.2019, and Notice under Section 435 of the DMC Act dated 24.07.2019 that were issued to her by the respondent department. The same have been taken on the record and copies thereof have been supplied to the officer representing the respondent department. The said officer has requested time to review the official record and respond appropriately.

4. Observations of the Commission

The Commission observes that the grievance, as reframed in Addendum dated 15.09.2026, contains a mix of matters falling within and outside its purview. Relief Nos. 3, 4 and 5 are claims for compensation, damages and reimbursement of legal expenses, which cannot be adjudicated or awarded by the Commission. Similarly, the Commission cannot adjudicate disputes between the Complainant and the occupants of neighbouring flats or determine questions of property rights, consent or private liability. The grievance can be examined only to the limited extent of determining whether the action taken by the MCD at the Complainant's premises was lawful and procedurally correct, whether any restoration or remedial action is required to be taken under the municipal rules, whether the pipes and outlets complained of constitute a violation of the municipal laws; and whether the department's official record discloses any administrative lapse.

5. Directions

In view of the above, the MCD is directed to file a detailed and item-wise Action Taken Report before the next date of hearing, specifically addressing the following:

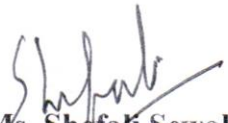
- a) The nature, date and statutory basis of the action taken by the MCD at the Complainant's premises. Copies of the corresponding notices, site inspection reports, demolition or removal orders, photographs and other material from the official file are to be attached to the ATR;
- b) Whether any portion of the Complainant's flat, that was not unauthorised, was dismantled or damaged by the MCD during such action and, if so, whether any restoration or remedial action is permissible or required under the applicable law;
- c) The Sanitation Department of the MCD is directed to conduct a physical inspection of the Complainant's premises and the relevant portions of neighbouring Flat No. G-198, Sarita Vihar, New Delhi to check whether any pipes or outlets are discharging onto the complainant's flat. The inspection report is to identify the source and nature of any such discharge, state whether it constitutes a sanitation nuisance or violates any municipal provision, and specify the remedial action proposed to be taken by the MCD, if any. The report is to be supported by dated photographs showing the said pipes and discharge.
- d) Whether the demolition/dismantling action undertaken by the MCD at the Complainant's premises was in accordance with law and procedure; and

- e) Whether the departmental record discloses any administrative lapse, procedural irregularity or misconduct on the part of any official of the MCD and, if so, the action proposed to be taken in this regard at the departmental level.

The Commission does not issue any directions with regard to reliefs no. 3, 4 and 5 mentioned in the Complainant's Addendum, and the Complainant is at liberty to seek appropriate legal remedy in this regard in the competent courts. The claims made against neighbouring residents, the resident association or any other private party, including claims concerning property rights, damages or private liability, will remain outside the scope of the present grievance proceedings.

The ATR is to be filed by the next date of hearing and copy supplied to the Complainant. An officer from the Sanitation Department, who is conversant with the case, is to be present at the next hearing along with Shri P.K. Chauhan, AE, Building, MCD.

The next date of hearing is fixed for **27.10.2026 at 11.30 am.**


(Ms. Shefali Sewak)

Part-Time MEMBER (PGC)

Dated: 22/9/26

No.F.PGC/2026/A.II/MCD/639 9919

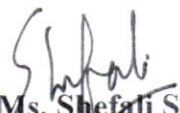
To,

1. The Commissioner, Municipal Corporation of Delhi, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi – 110002.

2. The Technical Officer (PGC) to upload this order on the website of the PGC.

✓ **Copy for information to:**

3. Ms. Rudrakshi Warikoo, Flat No. 197, Pocket G, Sarita Vihar, New Delhi 110076. M. no. 9845546940


(Ms. Shefali Sewak)

Part-Time MEMBER (PGC)