

ITEM NO.303

COURT NO.9

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.8049/2023

SWARNPREET KAUR & ANR.

Appellants

VERSUS

DLF HOME DEVELOPERS LTD. & ORS.

Respondents

[PART-HEARD: HON. AHSANUDDIN AMANULLAH AND HON R. MAHADEVAN, JJ.]

IA No.236269/2023 - APPLICATION FOR PERMISSION

IA No.126482/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

WITH

C.A. No.7395/2024 (XVII-A)

IA No.144485/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.145591/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.144500/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.144479/2024 - STAY APPLICATION

C.A. No.7984/2024 (XVII-A)

IA No.147273/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No.157354/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.152202/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.152187/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.151049/2024 - STAY APPLICATION

C.A. No.7985/2024 (XVII-A)

IA No.148546/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No.152292/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.152186/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.151044/2024 - STAY APPLICATION

C.A. No.448/2026 (XVII-A)

IA No.151070/2024 - STAY APPLICATION

C.A. No.7989/2024 (XVII-A)

IA No.147560/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No.152343/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No.152147/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No.151065/2024 - STAY APPLICATION

C.A. No.449/2026 (XVII-A)
C.A. No.8409/2024 (XVII-A)
C.A. No.8408/2024 (XVII-A)
T.P.(C) No.3044/2025 (XVI-A)

Date : 21-07-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

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Ms. Niharika S, Adv.
Ms. Arushi, Adv.
Ms. Tanya Sharma, Adv.

M/S. Karanjawala & Co., AoR

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Ms. Ruby Singh Ahuja, Adv.
Ms. Seema Sundd, Adv.
Mr. Pravin Bahadur, Adv.
Mr. Rituraj Srivastava, Adv.
Mr. Jappanpreet Hora, Adv.
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 Mr. Arvind Singh Yadav, Adv.
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O R D E R

The Primus Resident Condominium Association (hereinafter referred to as the 'PRCA') stands superseded with immediate effect and until further orders by this Court. The Commissioner of Police, Gurugram is directed to immediately take over the PRCA's premises

and secure all its records/documents. The PRCA shall be administered by the Deputy Commissioner, Gurugram. Needless to state, any resident of the building/complex shall not be put to any inconvenience by the said Officers. Likewise, no resident shall interfere in the performance of the exercise we direct.

2. The Deputy Commissioner, Gurugram, shall forthwith get a detailed audit conducted apropos the functioning of the PRCA from the date of its inception till date. Let the audit be carried out within three days.

3. The Deputy Commissioner, Gurugram, shall ensure that the PRCA is properly managed and *bona fide* grievances of all residents of the complex are addressed in accordance with law, behoving the manner of functioning of a Residents Welfare Association.

4. We have heard arguments from all the parties *in extenso*. However, on a basic factual aspect, the Court is unable to form a definitive opinion. The same relates primarily to whether the 24-metre wide road built inside the area of the present developed site by DLF Home Developers Limited (hereinafter referred to as 'DLF') is totally free of any encroachment/encumbrance or whether there are structures which impede movement of traffic and the use of the said portion as a road. We are also not very sure as to whether the point at which the road ends and connects to the existing 60-metre wide road is fully open or is restricted by the construction of a gate, and if so, what is the width of such gate.

5. Accordingly, for being aware of the true picture on the ground, the parties agreed that in their presence at the site day after tomorrow i.e., on 23.07.2026 at 9 AM, the concerned area(s)

be video-graphed and photographed.

6. Further, there is an issue as to whether all occupants have been given permanent electric connections and whether they have been connected to the common backup/generator system. The State Authorities shall also submit a report as to whether as per the requisition of DLF, the installed transformers are of adequate capacity to bear the load. Material shall be placed to show whether a fully functional/permanent arrangement to handle the sewage for the entire campus is in place.

7. For Paras 5 and 6 *supra*, the team shall comprise officers of the Government of Haryana/concerned Authorities; the petitioners/their representatives; DLF representatives, and; Mr. Saurav Gupta, SP, CBI, who has given a report alongwith his team. Support in terms of required personnel be had from the Government of Haryana, which must include the Departments of Power and Public Health Engineering. The Haryana Fire and Emergency Services officials shall also visit the site, undertake a review and submit a report as to whether all fire safety statutes/regulations/norms have been complied with, in respect of the entire complex as also the individual flats/apartments/buildings. Costs of inspection etc. for the present exercise, be borne by the Government of Haryana.

8. Inspection to commence on 23.07.2026 from 9 AM and the team shall not be under any compulsion to conclude the same in one day and a spillover for an additional day i.e., 24.07.2026 is also permitted. Mr. Saurav Gupta, SP, CBI, may coordinate the inspection and allied logistics.

9. List on 28.07.2026 at 2.30 PM.

10. Para 16 of our Order dated 25.02.2026 is yet operative, and by this Order, we do not conclude/foreclose any submissions by DLF/any other entity.

11. After the order was dictated, prayer was made by learned counsel for the PRCA to reconsider the Order for supersession of the PRCA. Having considered the prayer, the directions issued in Paras 1, 2 and 3 above are kept in abeyance, for the present.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR