

OFFICE OF THE ADMINISTRATOR
ASHA DEEP COOP GH SOCIETY, PLOT NO.- 3B,
SECTOR-02, DWARKA, NEW DELHI-110075.

F.No.- DOE/ASHADEEP/RCS/2023/

Dated: 25.05.2024

NO.-68

To,

Shri Mahipal Singh, (Membership No.- 211)
A-201, Asha Deep CGHS Ltd.,
Plot 3B, Sector – 2, Dwarka
New Delhi – 110075.

Sub:- SEEPAGE FROM YOUR FLAT.

Please refer to my letter /e-mail dated 23.03.2024 & 01.05.2024, thereby you were advised to get the seepage from the toilet of your flat plugged (round balcony side) as it is going down to flat no A-101, thereby, endangering the life of the residents of these flats as result of flow of electricity current. It has not been rectified by you so far. Due to such a negligence on your part, the residents of flat no. A 101 are facing the problem of a foul smell.

As you have already been told and the Plumber of the society has also confirmed that the Seepage in the wall is coming from the internal pipe of toilet of your flat. I have also received complaints from these flats in this regard. Hence, you are advised to get the defect rectified immediately to avoid any further irreparable loss to the residents and to the society's structure at large.

It is important to put to your notice that the provisions in the DCS Act and Rules gives responsibility to the Society to carry out repair of the internal seepage, if the flat owner/member fails to do so. The expenditure incurred in such repairs is to be recovered from the negligent flat owner/member. Further, the damage, if any, caused by the negligent owner/member to the flat of others is also recoverable.

As per Section 268 IPC: "A person is guilty of a public nuisance who does any act or is guilty of an illegal omission, which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger or annoyance to person who may have occasion to use any public right."

Section 133 of the Criminal Procedure Code, 1973 is a condition order to remove nuisance. This provision is usually used in urgent cases where public nuisance needs to be removed. Nuisance, in simple terms, refers to any physical inconvenience or discomfort that interferes with the ordinary comfort of a human being. The Sub- Divisional Magistrate is empowered to issue conditional order under CrPC.

It is a criminal act of nuisance endangering the life of the fellow residents.

You, are, therefore, once again again to get the seepage rectified immediately without further delay.


V. S. Mahila
Administrator

Asha Deep CGHS Ltd.

Copy for Information to :-

1. Asstt Registrar (Sec.VII/GH) Co-operative Societies, Old Court Building, Parliament Street, New Delhi- 110001.
2. Shri Dilip Kumar, (MS No.-197), A-101, Ashadeep CGHS Ltd., Plot 3B, Sector- 2, Dwarka, New Delhi- 110075.