

OPEN LETTER TO THE HON'BLE CHIEF JUSTICE OF THE DELHI HIGH COURT

To,
The Hon'ble Chief Justice
High Court of Delhi
Sher Shah Road, New Delhi – 110003

Subject: Appeal for Suo Motu Cognizance of the Malviya Nagar Fire Tragedy, Judicial Oversight of Investigation, Fixation of Accountability, and Systemic Public Safety Reforms

Respected Lordship,

I write this open letter as a citizen, an Advocate, and a concerned member of society deeply disturbed by the tragic fire incident in Malviya Nagar, Delhi, which has claimed innocent lives, caused immeasurable suffering to affected families, and once again exposed serious concerns regarding the enforcement of public safety laws and regulatory oversight within the National Capital Territory.

The loss of human life in circumstances that appear prima facie preventable raises issues that extend beyond a single establishment or individual. Every such tragedy compels society to ask whether the legal and regulatory mechanisms designed to safeguard public safety were functioning effectively and whether those entrusted with enforcing the law discharged their duties with the diligence expected of public authorities.

The incident raises several important questions requiring urgent and transparent examination. Whether the premises possessed valid fire safety approvals, occupancy permissions, and statutory licences; whether mandatory inspections were conducted in accordance with law; whether any complaints or reports regarding safety deficiencies were received and acted upon; and whether any violations were overlooked, ignored, or permitted to continue despite knowledge of the risks involved. These questions assume even greater significance when innocent lives have been lost.

The tragedy therefore warrants scrutiny not only of possible violations by private individuals but also of the conduct of regulatory authorities responsible for ensuring compliance with safety standards. The role of the Delhi Fire Service, Municipal Corporation of Delhi, Delhi Police, licensing authorities, district administration, and other competent agencies must be examined to determine whether statutory obligations were discharged effectively and whether any administrative failures contributed to the occurrence or consequences of the incident.

The painful lessons of the Uphaar Cinema tragedy continue to resonate across the nation. That tragedy demonstrated that large-scale loss of life often results not merely from private negligence but from systemic regulatory failures, inadequate enforcement, and institutional lapses. Despite decades of legal and policy developments, similar incidents continue to occur, raising legitimate concerns regarding the effectiveness of existing enforcement mechanisms.

The right to life guaranteed under Article 21 of the Constitution of India includes the right to live with dignity, safety, and reasonable protection from preventable hazards. Correspondingly, State authorities entrusted with statutory responsibilities owe a public duty to ensure compliance with laws enacted for the protection of human life. Where investigation reveals negligence, dereliction of duty, wilful omission, abuse of authority, collusion, corruption, or breach of statutory obligations, accountability must follow in accordance with law.

The present incident also raises broader concerns regarding online accommodation booking platforms such as Booking.com, Airbnb, OYO, Agoda, MakeMyTrip, Goibibo, and similar intermediaries. Members of the public frequently rely upon such platforms while reasonably assuming that listed properties comply with basic legal, licensing, occupancy, and fire safety requirements. The tragedy highlights the need to examine whether a stronger regulatory framework is necessary to ensure that accommodations offered to the public satisfy minimum statutory and safety standards before being made available for booking.

Given the gravity of the incident and the wider public interest involved, I most respectfully submit that judicial oversight may be necessary to ensure a fair, independent, transparent, and time-bound investigation. Such oversight would strengthen public confidence in the investigative process and help ensure that accountability is fixed wherever warranted by the evidence.

In these circumstances, I respectfully pray that this Hon'ble Court may consider:

1. Taking suo motu cognizance of the Malviya Nagar fire tragedy.
2. Directing an independent, transparent, and time-bound investigation into all circumstances leading to and surrounding the incident.
3. Directing examination of the role and responsibility of all concerned authorities, including officers of the Delhi Fire Service, Municipal Corporation of Delhi, Delhi Police, licensing authorities, district administration, and any other regulatory bodies having jurisdiction over the premises.
4. Directing registration of appropriate criminal proceedings wherever investigation reveals offences, negligence, misconduct, corruption, collusion, abuse of authority, or breach of statutory obligations by any individual, whether public or private.
5. Ensuring that accountability is not restricted to departmental inquiries, transfers, or suspensions but extends to criminal prosecution wherever legally justified.
6. Directing disclosure of inspection records, approvals, licences, compliance reports, notices, and enforcement actions relating to the premises concerned.
7. Ordering a comprehensive city-wide audit of hotels, guest houses, hostels, homestays, paying guest accommodations, and other commercial lodging establishments operating within Delhi.
8. Directing consideration of a regulatory framework requiring online accommodation platforms to verify fire safety clearances, occupancy permissions, trade licences, and other mandatory statutory compliances before listing properties for public booking.
9. Ensuring adequate compensation, rehabilitation, counselling, and support for victims and their families.

The lives lost in this tragedy cannot be restored. However, justice requires that the truth be uncovered, responsibility be fixed wherever warranted, and meaningful reforms be undertaken to prevent recurrence. The affected families deserve answers, the citizens of Delhi deserve accountability, and the rule of law demands that public safety obligations be enforced with seriousness and integrity.

Your Lordship will kindly forgive the liberty taken in addressing this open letter. However, concerns relating to the protection of life, public safety, constitutional governance, and institutional accountability leave conscientious citizens with little alternative but to seek the intervention of constitutional courts.

I place my faith in the constitutional role of this Hon'ble Court as the guardian of fundamental rights and respectfully urge consideration of appropriate action in the larger public interest.

Yours faithfully,

Bhavishya Shakya

Advocate

Supreme Court of India

Date: 5th June , 2026

Place: New Delhi