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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1310/2011

SHAYAM LAL VERMA

Through

..... Petitioner

Mr. O.P. Panwar, Adv. with petitioner
in person.

versus

STATE & ORS

Through

..... Respondent

Mr. Pawan Sharma, SC for State with
SI Rajender Kumar, PS Saket.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.11.2011

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By this petition the Petitioner a senior citizen has sought directions to issue a mandamus to the Respondents for protecting his fundamental right of life, liberty and property and for issuance of directions to the Respondents to get the house of the Petitioner vacated which is in the occupation of the members of his family.

On a notice being issued Respondent No.5 the aged wife of the Petitioner is present. She states that the Petitioner is very much living in the first floor premises of the house whereas Respondent No.5 along with her two daughters, son and daughter-in-law are staying on the ground floor.

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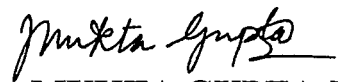
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The Petitioner indulges in misbehaviour with the other family members and abuses them. They are providing the food cooked in the house to the Petitioner.

A status report has been filed by the State verifying that the Petitioner is living in the same house, however he often drinks and creates a ruckus and demands non-veg food items which the other family members do not provide.

In the facts of the case, I do not find that any case for issuance of directions to the Respondent Nos. 1 to 4 is made out for protection of the Petitioner as he is residing in the premises as per his own will. However, he cannot force his will on the other members of the family. Further the prayer of directing the Respondents to vacate the house of the Petitioner cannot be entertained in the present petition.

Petition is dismissed.


MUKTA GUPTA, J

NOVEMBER 21, 2011
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