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

+ **W.P.(C) 2949/2017**

RAJ MONGIA

..... Petitioner

Through

Mr.Sidhartha Tyagi, Ms.Madhu Tyagi
and Mr. Siddhartha Tewari,
Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through

Mr.Rajendra Sahu and Mr.Sameer
Sharma, Advocates.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **30.03.2017**

C.M. No.12851/2017 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 2949/2017 & C.M. No.12850/2017 (stay)

Petitioner before this Court is aggrieved by the inaction on the part of the Appellate Body before whom he had preferred an appeal under Section 9 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (hereinafter referred to as the said Act) assailing the order of the Estate Officer dated 21.3.2017. Vide order dated 21.3.2017 the Estate Officer had declared the petitioner to be an unauthorized occupant within the meaning of said Act. He had been directed to vacate the government allotted accommodation i.e. the staff quarter bearing No.1024, Block-19, Lodhi Colony, New Delhi.

The petitioner had preferred an appeal under Section 9 of the

said Act before the learned District Judge. Next date fixed before the District Judge is 09.5.2017. Grievance of the petitioner is that he had not been granted stay by the Appellate Body and in fact notice on the stay application had not been issued. Contention of the petitioner is that he has apprehension that he will be thrown out without a hearing. Further submission being that he has a good case for the reason that he had been evicted from the government accommodation on the ground that he had sublet this property to one Jagpal Singh. Contention of the petitioner is that an intimation dated 08.9.2014 had been sent by the petitioner to the Department informing them that Jagpal Singh was residing with him along with his family in the government accommodation to look after the interest of the ailing wife of Jagpal Singh. Copy this letter is a part of the record of this Court.

Noting the submissions and counter submissions, a status quo is ordered qua the quarter in question till next date before the District Judge i.e. up to 09.5.2017 on which date the Appellate Body, de hors any observation made by this Court in this order, shall deal with the stay application of the petitioner.

Petition disposed of.

Order dasti under signature of the Court Master.

INDERMEET KAUR, J

MARCH 30, 2017

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