

\$~49

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

+ **W.P.(C) 11150/2017**

**RAJINDER KUMAR NAYYAR** ..... Petitioner  
Through: Mr Pratap Sahani, Advocate.

versus

**NCT OF DELHI AND ANR.** ..... Respondents  
Through: Mr Iram Majid, Advocate for R-1/GNCTD.

**CORAM:**  
**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**  
% **15.12.2017**

**CM No.45651/2017**

1. Allowed, subject to all just exceptions.

**W.P.(C) 11150/2017**

2. The petitioner has filed the present petition, impugning an order dated 29.11.2017 (hereafter 'the impugned order') passed by the Maintenance Tribunal, (Central District) constituted under the Maintenance and Welfare of the Parents and Senior Citizens, Act, 2007. By virtue of the said order, the petitioner has been asked to unlock a room on the third floor, which was stated to contain inverter and other things belonging to the petitioner's mother (respondent no.2).

3. It is apparent from the plain tenor of the order that the same was passed as the petitioner's mother, who is a senior citizen, had complained that she was suffering from chronic type-II respiratory failure. She had

stated that she needed oxygen support at home and thus, urgently required access to the inverters among other things lying in a room on the third floor of the property in question, which had been locked by the petitioner.

4. It is seen that the said order is only an interim order and the petitioner would have full opportunity to contest the matter before the Maintenance Tribunal. In this view, this Court is not inclined to entertain the present petition, leaving it open to the petitioner to move an appropriate application before the Maintenance Tribunal.

5. The petition is disposed of.

6. Order *dasti*.

**DECEMBER 15, 2017**  
**MK**

**VIBHU BAKHRU, J**