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

+ **W.P.(C) 9476/2018**

SH. SANJEEV SHARMA AND ANR. Petitioners
Through Mr Pratyush Chirantan, Advocate.

versus

STATE OF NCT OF DELHI AND ORS Respondents
Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.09.2018**

CM No. 36841/2018

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 9476/2018 and CM No. 36840/2018

3. The petitioners have impugned an order dated 03.08.2018 passed by the District Magistrate, Shahdara, Delhi directing that the petitioners be evicted.

4. The said order has been passed on an application filed under Rule 22(3)(i) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 as amended in 2016. A plain reading of the impugned order indicates that the District Magistrate had found that the petitioners were ill-treating respondent no. 2 and 3 (the parents of petitioner no.1). It is the case of petitioner no.1 that although he is a son of respondent nos. 2 and 3, he has been residing in their premises as a tenant. He states that the same

is also established from the suit filed by respondent nos. 2 & 3 for eviction of the petitioners from the premises in question.

5. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is a welfare legislation and has been enacted in order to safeguard Senior Citizens. It is not disputed that the petitioner no.1 is a son of respondent nos. 2 and 3. This Court finds no reason to doubt the finding that the petitioners have been ill-treating respondent nos. 2 and 3. Thus, this Court does not find any ground to interfere with the impugned order.

6. At this stage, petitioner no.1, who is present in Court, states that he shall voluntarily vacate the premises in question if some time is provided to him to make alternate arrangements. He undertakes on his own account as well as on behalf of his wife (who is arrayed as petitioner no.2) that they shall vacate the premises within a period of two months from today.

7. The request of the petitioner to be permitted further time of two months to arrange alternate accommodation is reasonable considering that the petitioners have three minor children. In view of the above, the enforcement of the impugned order is stayed for the further period of two months from today.

8. The petition is disposed of. The pending application is disposed of.

VIBHU BAKHRU, J

SEPTEMBER 10, 2018

pkv