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

+ W.P.(C) 5936/2015 & CM Nos. 10754/2015 & 19855/2017

ASHOK

..... Petitioner

Through: Mr Nishant Sharma, Advocate.

versus

BHAGWAN DEVI

..... Respondent

Through: Mr Rajneesh Kapoor and Mr S. S. Rawat, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.12.2018

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 18.05.2015 passed by the Maintenance Tribunal, whereby the petitioner has been directed to vacate the first floor of the property bearing no. 23, Chowki No.2, Sindhora Kalan, Bhagwan Dass Ahata, Delhi within a period of four weeks from the said order. The petitioner claims that the said order is without jurisdiction as the Maintenance Tribunal has no power to direct eviction of the premises under Section 4 of the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007.
2. The aforesaid contention is unmerited and the issue is squarely covered by an earlier decision of a Coordinate Bench of this Court in ***Sunny Paul & Anr. v. State NCT of Delhi & Ors.:(W.P. (C) No. 10463/2015) 2017 SCC Online Del 7451***. It is also relevant to note that subsequent to the passing of the impugned order, specific provisions have also been

introduced in the Delhi Maintenance and welfare of Parents and Senior Citizens Rules, 2009, enacting the procedure for eviction of relatives of senior citizen/parents.

3. The respondent has made a complaint of harassment at the hands of the petitioner and this Court thus, finds no reason to interfere with the impugned order.

4. The petition is, accordingly, dismissed. The pending applications are also disposed of.

VIBHU BAKHRU, J

DECEMBER 20, 2018
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