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

+ W.P.(C) 12328/2018

SMT. ARTI SINGH

..... Petitioner

Through: Mr Nitin Dayal and Ms Seema Singh,
Advocates.

versus

GOVT. OF NATIONAL CAPITAL TERRITORY
OF DELHI AND ORS.

..... Respondents

Through: Ms Warisha Farasat, Panel counsel
for GNCTD and Ms Hafsa Khan,
Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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19.11.2018

CM No.47809/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 12328/2018 & CM No.47808/2018

2. The petitioner has filed the present petition impugning an order dated 17.10.2018 passed by the Divisional Commissioner under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009. The petitioner's appeal has been rejected on the ground that an appeal is maintainable only by a senior citizen/parents and not by any other person. This view is erroneous and the issue is squarely covered by the decision of this Court in *W.P.(C) 11703/2018 captioned as 'Sudesh Chhikara v. State (Govt. of NCT of Delhi) and Ors.'* decided on 13.11.2018.

3. In view of the above, the appeal is allowed and the matter is remanded to the Divisional Commissioner to consider the petitioner's appeal on merits.
4. The petitioner shall not be dispossessed till the Divisional Commissioner finally decides the petitioner's appeal on merits.
5. The pending application is also disposed of.
6. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 19, 2018
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