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

+ W.P.(C) 13714/2018 & CM No. 53540/2018

SH. RAJESH AND ANR.

..... Petitioners

Through: Mr S. S. Rajore, Advocate.

versus

THE STATE AND ANR.

..... Respondents

Through: Ms Saumya Tandon, Advocate for R-1.

**CORAM:**

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

**ORDER**

% **19.12.2018**

1. The petitioners have filed the present petition, *inter alia*, impugning an order dated 23.10.2018 passed by the District Magistrate under the Delhi Maintenance and Welfare of Parents and Senior Citizen Rules (Amendment) Rules, 2016. It is stated that the petitioners have filed an appeal under Section 22(3)(4) of the said Rules. However, the same is not taken up for hearing till date. It is stated that the Appellate Authority (Divisional Commissioner) was unavailable for the initial fifteen days as he was on leave and thereafter, he is busy in the administrative work for a period of two weeks.

2. The impugned order is for eviction of the petitioners and the appeal will be infructuous if the appeal is not heard. In view of the above, the Divisional Commissioner is directed to consider and hear the present appeal without any delay. The petitioners shall appear before the Divisional

Commissioner on 26.12.2018 at 10:30 AM. The Divisional Commissioner is directed to conclude the hearing on the said date or the next and pass an appropriate order within a period of one week, thereafter.

3. In the meanwhile, the impugned order dated 23.10.2018 is stayed.
4. It is clarified that this Court has not expressed any opinion on the merits of the contentions advanced by the petitioner and nothing stated in this order shall be construed as such.
5. The petition is disposed of. The pending application is also disposed of.

**VIBHU BAKHRU, J**

**DECEMBER 19, 2018**

**MK**