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

+ W.P.(C) 1998/2019 & CM No. 9388/2019

BRAHAMJEET SINGH

..... Petitioner

Through: Ms Nikita Sharma, Advocate
alongwith petitioner in person.

versus

GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.02.2019

1. The petitioner has filed the present petition impugning an order dated 18.02.2019 rejecting the petitioner's appeal against an order dated 10.01.2019 passed by the District Magistrate under Rule 22(3)(1) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009. In terms of the said order, the District Magistrate had allowed the application filed by respondent no.2 for evicting the petitioner – her youngest son – from the premises bearing no.WZ-625/1, Near Syndicate Market, Raj Nagar, Part-1, Palam Colony, Palam Village, Delhi-110045.
2. Respondent no.2 is a mother of the petitioner and had alleged that she was being physically abused and being illtreated by the petitioner. She had made a compelling case for evicting the petitioner under the said Rules. The District Magistrate had called for an inquiry report and after considering the same, had found that the allegations made against the petitioner were

substantiated. He had also examined the documents pertaining to the said property. The petitioner claimed that the property was distributed and he was entitled to the same on the basis of the oral settlement. However, there was no document to establish the same. On the other hand, respondent no.2 had produced a General Power of Attorney, copy of electricity bills and copy of the water bill to establish her interest in the property in question. Accordingly, the District Magistrate passed an order directing the petitioner to vacate the premises in question.

3. The petitioner had, thereafter, filed a writ petition before this Court (being W.P.(C) 1178/2019), which was withdrawn on 04.02.2019 with liberty to avail the alternative remedy. Thereafter, the petitioner filed an appeal before the Divisional Commissioner, which was rejected by the impugned order.

4. A perusal of the impugned order indicates that the Divisional Commissioner had duly considered the contentions advanced by the petitioner and had also found that the relationship between the petitioner and her mother was strained. He took note of respondent no.2's contention that she was underfed and was physically assaulted by the petitioner. She had also submitted that she did not feel safe with the petitioner and he had been harassing her.

5. After considering the record of the case, the Divisional Commissioner rejected the petitioner's appeal. This Court finds no infirmity with the said decision, and no interference by this Court is warranted.

6. The petition is, accordingly, dismissed. The pending application is

disposed of.

7. Order *dasti* under signatures of the Court Master.

FEBRUARY 26, 2019
MK

VIBHU BAKHRU, J