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

+ **W.P.(C) 1999/2019**

DHAMENDAR KUMAR & ANR

..... Petitioners

Through: Mr Samrendra Kumar, Advocate
for petitioner nos.1 and 2.

versus

**DISTRICT MAGISTRATE CUM APPELLATE TRIBUNAL
FOR MAINTENANCE AND WELFARE & ORS..... Respondents**

Through: Mr Mohit Agarwal, Advocate for
R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.02.2019

CM No. 9390/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 1999/2019 & CM No.9389/2019

2. The petitioners have filed the present petition impugning 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, as amended. In terms of the impugned order, the petitioners have been directed to vacate the property bearing no.B-1/70, Bharat Vihar, Kalkrola Village, New Delhi-110078.

3. The petitioners have an alternative remedy of filing an appeal before the Divisional Commissioner under Rule 22(3)(4) of the said Rules.

4. In view of the above, the petitioners seek to withdraw the present petition with liberty to avail of the alternative remedy.
5. The petition is dismissed as withdrawn with the aforesaid liberty. The pending applications also stand disposed of.
6. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

FEBRUARY 26, 2019
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