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

+ W.P.(C) 5155/2019

HEMANT HANOT & ANR.

..... Petitioners

Through: Mr D. K. Sharma, Advocate.

versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Mr Shadan Farasat, ASC, Rudrakshi
Deo and Ms Hafsa Khan, Advocates
for R-1 to R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **13.05.2019**

CM No.22875/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 5155/2019 & CM No.22874/2019

2. The petitioners have filed the present petition, *inter alia*, impugning an order dated 03.07.2018 passed by the District Magistrate directing that the petitioners be evicted from the premises bearing no.21/14, 2nd floor, Pant Nagar, Jangpura, New Delhi. It is seen that the said order had been passed under Rule 22(3)(1) of the Delhi Maintenance of Parents and Senior Citizen Rules, 2009. The petitioners have an alternative remedy of an appeal under Rule 22(3)(4) of the said Rules.

3. In view of the above, the present petition is dismissed. However, it is clarified that if the petitioners file an appeal against the said order within a

period of one week from today, the Appellate Authority (Divisional Commissioner) shall consider the same uninfluenced by the question of delay.

4. Order *dasti* under signatures of the Court Master. The pending application is disposed of.

VIBHU BAKHRU, J

MAY 13, 2019
MK