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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1337/2020**

NAVEEN KUMAR

..... Petitioner

Through

Mr.Ravinder Kr. Yadav, Ms.Arti
Anupriya, Mr.Vinayak Sharma and
Mr.Kartikey, Adv.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through

Ms.Saumya Tandon, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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05.02.2020

CM No.4638/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 1337/2020 & CM No.4637/2020 (Stay)

On being confronted that in terms of the judgement of Punjab & Haryana High Court in *Paramjit Kumar Saroya v. The Union of India & Anr.*, 2014 SCC OnLine P&H 10864, the remedy of appeal against the Impugned Order passed by the Tribunal lies before the Appellate Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the 'Act'), the learned counsel for the petitioner prays for leave to withdraw the present petition with liberty to file an appeal before the Appellate Tribunal under the Act.

He, however, submits that in terms of the Impugned Order the Authority may cancel the Sale Deed and dispossess the petitioner from the property in dispute.

Keeping in view that the present petition was filed in a *bona fide* manner, operation of the Impugned Order shall remain stayed, subject to the condition that the petitioner shall file an appeal within a period of two weeks from today. Further continuation of the order of stay shall be considered by the learned Appellate Tribunal on its own merit. It is made clear that this Court has not expressed any opinion on the merits of the submissions made in the present petition.

The petition is dismissed as withdrawn with liberty as prayed for.

Dasti under the signature of the Court Master.

NAVIN CHAWLA, J

FEBRUARY 05, 2020/Arya