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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 2706/2020**  
**SMT. SONIA** ..... Petitioner  
Through: Mr.R.N.Dubey, Adv.

versus

**SMT. USHA AND ANR.** ..... Respondents  
Through: Ms.Saumya Tandon, Mr.Ishan Agrawal,  
Adv. for R-2.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

**% 11.03.2020**

**CM 9394/2020**

Exemption allowed, subject to all just exceptions.

**WP(C) 2706/2020 & CM 9392/2020**

This petition has been filed by the petitioner challenging the order dated 19.02.2020 passed by the District Magistrate(North), Govt. of NCT of Delhi in F.No.RDR/Domestic/N/Sr. Citizen/2019/Usha/ 382-83 under the provisions of The Delhi Maintenance and Welfare of Parents and Senior Citizens (Amendment) Rules, 2016.

At the outset, it has been put to the learned counsel for the petitioner that the remedy of the petitioner would lie by way of an appeal under Rule 22(3) (4)(i) of the Rules.

The learned counsel for the petitioner, prays for leave to withdraw the present petition with liberty to file an appeal challenging the Impugned order.

The learned counsel for the petitioner, however, submits that the petitioner apprehends that she may be evicted from the property in

question while the petitioner prefers such an appeal. It is submitted that the respondent no.1 is not a senior citizen and therefore, could not have invoked the provisions of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2007.

Keeping in view the submissions made, while the present petition is allowed to be withdrawn with liberty to file an appeal challenging the Impugned Order, the Impugned Order shall not be enforced till such appeal is considered by the Appellate Tribunal. This order shall however, be subject to the condition that the petitioner prefers such appeal within ten days from today.

*Dasti* under the signature of the Court Master.

**NAVIN CHAWLA, J**

**MARCH 11, 2020**  
**RN**