

\$~18

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

+ W.P.(C) 5977/2020 & CM APPL. 21623/2020

MRS BABITA

..... Petitioner

Through: Mr. S.S. Pandey and Mr. Abhishek R.
Shukla, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms. Nidhi Raman, CGSC for R-1 to R-3 &
R-5.
Mr. Tarunveer Singh Khehar, Advocate for
R-4.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

%

08.09.2020

1. The hearing was conducted through video conferencing.
2. The learned counsel for respondent no. 4 states, upon instructions, that the matter has been re-considered. The petitioner, wife of the allottee officer, has stayed on in the premises far beyond the tenure of the allotment. Penal charges of Rs.2,000/- per day have been imposed which is recoverable as per rules.

3. On the previous date, inter alia, the following order was passed:

“5. The petitioner has been asked to vacate the accommodation occupied by her at T-09/05, Pollo Road, Delhi Cantt, New Delhi. The allotment is in her husband’s name. He has been posted outside the city. She claims to be estranged from her husband. She states that she neither has any alternate residential arrangement nor any means of livelihood. She requests to be treated at par with other families, in terms of the

respondents' own policy dated 30.04.2020, whereunder families having children are in class XII, have been permitted to retain their accommodation till March/July 2021, so that the children could take their Board examinations without being disturbed, by shifting of residence. She contends that her circumstances have been further compounded by pandemic related constraints. She also challenges the imposition of per-day charges of Rs.2,000/- after 20.4.2020, instead of the regular use charges of Rs.150/ per day. She seeks waiver of this penal charge. She says that she is not in a position to pay the said amount. She seeks compassionate consideration and extension of period of stay, for one last time, till March 2021."

4. The learned counsel for respondent no. 4 further submits that no further extension is possible because there is a list of officers who desire the accommodation and the Waiting List for allotment is for about nine months. He submits that Class-XII Board Examinations of the petitioner's son are about 6-8 months away, therefore, she would need to arrange an alternate accommodation.
5. The learned counsel for the petitioner seeks four-weeks' time to vacate the premises. Let it be so done.
6. Charges, as may be considered appropriate, may be recovered as per procedure.
7. The petition, alongwith pending application, is disposed-off in the above terms.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through e-mail.

NAJMI WAZIRI, J

SEPTEMBER 08, 2020/RW