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

+ **W.P.(C) 2967/2024**

OM PRAKASH

..... Petitioner

Through: Mr. Neeraj Kumar Garg, Mr. Rohit Mehra and Mr. D. Kumar, Advocates.

versus

GOVT. OF NCT OF DELHI THROUGH CHIEF SECRETARY & ANR.

..... Respondents

Through: Ms. Mehak Nakra, ASC for GNCTD with Mr. Abhishek Khari, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

28.02.2024

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CM APPL. 12198/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 2967/2024

1. The Petitioner has approached this Court challenging the Order dated 27.10.2023 passed by the Appellate Authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (*hereinafter referred to as "Senior Citizens Act"*) whereby the Appellate Authority has stayed the implementation of the Eviction Order dated 25.09.2023 passed by the Ld. District Magistrate.

2. The Ld. District Magistrate *vide* Order dated 25.09.2023, which is under challenge before the Appellate Authority had allowed the application



filed by the Petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 read with Rule 22(2) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2016/2017.

3. In view of the fact that the Order dated 27.10.2023 is only an Interim Order, this Court is not inclined to interfere with the said Order granting stay. However, in view of the fact that the Petitioner herein is a wheel-chair bound and is 70 years of age and the case is listed for hearing on 03.05.2024, this Court requests the Appellate Authority to decide the appeal as expeditiously as possible.

4. With these observations, the writ petition is disposed of, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

FEBRUARY 28, 2024

S. Zakir