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

+ **W.P.(C) 7743/2024**

POOJA RAWAT

..... Petitioner

Through: Mr. Abdul Qadir, Mr. Syed Bashar,
Mr. Nirnay Pratap Singh, Ms. Garima
Sharma, Ms. Geeta Bajaj, Advs.

versus

LADY IRWIN COLLEGE THROUGH ITS DIRECTOR AND ANR

..... Respondents

Through: Mr. Mohinder J S Rupal, Adv. for DU

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

27.05.2024

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CM APPL. 32109/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 7743/2024

1. The Petitioner has approached this Court with the following prayers:-

“A. Issue writ, order or the direction in the nature of the Mandamus against the respondents to provide the accommodation and not to dispossess the quarter no.13 lady Irvin college premises .

B. Stay the Notice received from the Management of Lady Irwin College (University of Delhi) dated 28.03.2024 to vacate the premises or else eviction will be carried out as per rules.”



2. The facts as stated in the writ petition reveals that the Petitioner's husband Sh. Dabal Singh was serving as a hospital bearer in Lady Irwin College. His services were confirmed on 16.10.2002 and he was allotted Quarter No.13, Ground Floor, Lady Irwin College campus.
3. It is stated that Petitioner's husband unfortunately passed away due to COVID-19 on 01.05.2021 and the Petitioner has been retaining the said accommodation. Notice has been issued by Respondent No.1 to vacate the said accommodation. The Petitioner has given a reply to the notice stating that she is unable to vacate the accommodation because she is facing difficulty in raising her two children who are at present 16 and 13 years of age respectively.
4. Material on record also discloses that the Petitioner has been appointed as a Data Operator on compassionate basis with Rakshak Securitas Private Limited.
5. A notice has been issued to the Petitioner to vacate the premises. The Petitioner has not been able to show any legal right to retain the accommodation after the demise of her husband. The Petitioner has already retained the accommodation for a period of three years after the demise of her husband.
6. This Court asked the learned Counsel for the Petitioner as to whether the Petitioner would be willing to vacate the premises if some time is given but the learned Counsel for the Petitioner refused to accept the suggestion given by the Court.
7. In view of the fact that there is no right in favour of the Petitioner to continue to reside in the said accommodation, which can be given to a



person who is entitled to the said residential accommodation, this Court is not in a position to entertain this writ petition.

8. The petition is dismissed along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MAY 27, 2024

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