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

+ **W.P.(C) 8057/2024**

SH BALBIR SINGH MAAN

..... Petitioner

Through: Mr. Samman Vardhan Gautam and
Mr. Harsh Raj, Advocates.

versus

SUB-DISTRIC MAGISTRATE AND ORS

..... Respondents

Through: Ms. Hetu Arora Sethi, ASC with Mr.
Arjun Basra, Advocate for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **29.05.2024**

CM APPL. 33216/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 8057/2024 & CM APPL. 33215/2024

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

“a) Pass any appropriate writ, order or direction, thereby evicting the Respondent No.3 and Respondent No.4 from the Subject Property and restoring the same to the Petitioner.

b) Pass any appropriate writ, order or direction, thereby, restraining Respondent No.3 and Respondent No.4 from realizing rent from the workers/tenants in the quarters, so that the Petitioner is able to live an honored life and bear his own expenses

c) Pass any appropriate writ, order or direction, thereby directing the Respondent No. 2 to conduct enquiry at the Subject Property, since the Petitioner is



bed-ridden;

d) Pass any such order(s), relief(s) and/or direction(s) that this Hon'ble Court may deem fit and proper in the interest of justice."

2. Material on record indicates that the Petitioner has already sought eviction of Respondent Nos.3 and 4 and the application under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is pending before the SDM, Mehrauli and therefore, this Court cannot pass any direction for eviction of Respondent Nos.3 and 4 from the subject property.

3. As far as other prayers are concerned, these are matters to be dealt in civil proceedings for which a suit has to be filed by the Petitioner.

4. In case the Petitioner apprehends any threat to his life and property, the Mobile Number of the concerned area of the SHO be provided to the Petitioner so that no harm is caused to the life and property of the Petitioner.

5. 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

MAY 29, 2024

S. Zakir