



\$~67

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

+ **W.P.(C) 9249/2024**

PHOOLA DEVI

.....Petitioner

Through: **Ms. Vatsala Chauhan, Advocate**

versus

DIVISIONAL COMMISSIONER

.....Respondent

Through: **Ms. Anvi Singh, Advocate**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

09.07.2024

CM APPL. 37905/2024 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

W.P.(C) 9249/2024

4. The Petitioner has filed an appeal under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 [bearing No. 657/2023 titled ***Mrs. Phoola Devi v. Ravi & Anr.***] before the Divisional Commissioner, Shamnath Marg, Delhi. This appeal was filed on 02nd January, 2023. However, no final decision has been rendered till date.
5. The limited relief sought in the present petition under Article 226 of the Constitution of India, 1950 is the issuance of a writ of *mandamus* to the Respondent to expedite the hearing of Petitioner's appeal and dispose the



same in a timebound manner.

6. Ms. Avni Singh, dounsel for Respondent, on instructions, states that presently, the delay has been caused as the position of the Divisional Commissioner is currently lying vacant. She submits that as and when the vacancy is filled, the Respondent will commence hearing the pending appeals under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, as per their seniority, determined by the date of filing.

7. In view of the above, the present petition is disposed of with a direction that as and when the appointment to the post of Divisional Commissioner is made, Petitioner's appeal [No. 657/2023] shall be expeditiously heard and decided.

8. A copy of the order shall also be sent to the appointing authority for the position of Divisional Commissioner, Revenue Department, *i.e.*, the Hon'ble Lieutenant Governor, Government of NCT of Delhi and the concerned Service Department. They are requested to immediately take steps to fill the vacancy in the office of Divisional Commissioner, Shamnath Marg, Delhi.

9. With the above directions, the present petition is disposed of accordingly.

SANJEEV NARULA, J

JULY 9, 2024/ab