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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16921/2022, CM APPL. 53622/2022, CM APPL. 8485/2023**
SMT. SANJU YADAVPetitioner

Through: Mr. Alok Kumar, Senior Advocate
with Ms. Manisha A. Narain,
Mr. Amit Kr. Singh, Mr. Varun
Maheshwari, Mr. Manan Soni and
Mr. Sandeep Singh Somaria,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Imran Khan, Advocate for R-2
with R-2 in person.
Mr. Karan Bhardwaj, ASC with
Mr. Shubham, Mr. Rajat Gaba and
Mr. Saurabh Dahiya, Advocates for
R-1.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
28.10.2024

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1. Smt. Sanju Yadav and her family has been directed to be evicted from the property bearing No. 295, Tarun Enclave, Pitampura, New Delhi-110034, by the Divisional Commissioner *vide* order 6th October, 2022. Aggrieved by the same, the Petitioner has filed the present petition. On 13th December, 2022, the Court while issuing notice *inter alia* directed as follows:

“7. In the meantime, both parties shall explore an alternate accommodation for the Petitioner and her family including her husband and children.



Respondent No.2 is willing to bear the rental for the said alternate premises. For this purpose, ld. Counsels for the parties may coordinate with each other in respect of identifying an alternate accommodation.”

2. Subsequently, on 13th April, 2023, in continuation of the said order, the Court directed that the Petitioner would be entitled to continue to occupy the property in question subject to her paying Rs. 15,000/- to the father-in-law i.e. Respondent No. 2. The Petitioner since then has been regularly paying the said amount. In furtherance of the aforesaid order, Mr. Alok Kumar, Senior Counsel for the Petitioner, on instructions from Smt. Sanju Yadav, who is present in the Court states that the Petitioner is willing to vacate the property in question and move to another premises on rent, however, for such rental accommodation, Respondent No. 2 should bear the burden. Mr. Kumar states that Petitioner has identified a property for which the rent is Rs. 22,000/- per month and accordingly he submits that suitable directions to this effect be considered.

3. Mr. Imran Khan, counsel for Respondent No. 2, on instructions, states that Respondent No. 2 is willing to make a payment of Rs. 20,000/- per month towards the rental accommodation that the Petitioner intends to take.

4. In light of the above, in the opinion of the Court, the present petition can be disposed of with the following directions:

a. The Petitioner shall furnish the particulars of the property, for rental accommodation, on an affidavit, along with the requisite bank account details where the payment is to be credited, within one week from today.

b. Respondent No.2 shall file an undertaking on affidavit confirming to the effect that he shall make the payment of Rs. 20,000/- per month to the Petitioner towards her rental accommodation. This payment shall be made



on monthly basis commencing from December 2024 and credited by 7th of each succeeding month. These monthly payments shall be made subject to final adjudication of the proceedings under the Protection of Women from Domestic Violence Act, 2005 before the Mahila Court are resolved.

c. The Petitioner shall vacate the premises on or before 30th November, 2024 and shall settle the electricity and water dues till the date of vacation.

d. All rights and contentions of the parties are left open.

e. In case of any breach of the aforesaid condition, Petitioner shall be free to apply to the Court for appropriate directions.

5. Disposed of along with pending applications.

SANJEEV NARULA, J

OCTOBER 28, 2024

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