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

+ **W.P.(C) 10868/2024**

SMT. AARUSHI LEKHWANI

.....Petitioner

Through: None

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Mehak Nakra, ASC (Civil) for
GNCTD with Ms. Anjali Pandey, Ms.
Gunjan Suyal, Mr. Manoj Kumar,
Advocates

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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27.09.2024

CM APPL. 46280/2024 (under Section 151 CPC seeking modification of the order dated 06th August, 2024)

1. The present petition was disposed of *vide* order dated 6th August, 2024 noting the submission of Ms. Mehak Nakra, Additional Standing Counsel (Civil) for GNCTD with to the following effect:

“4. Ms. Mehak Nakra, counsel for Respondent No. 1 – Govt. of NCT of Delhi submits that the Divisional Commissioner has been appointed and the officer shall be joining the post soon.”

2. However, Ms. Nakra, has now applied for modification of para no. 4 of the said order. She submits that Sh. Manish Kumar Gupta, Additional Chief Secretary (Home) is the link officer of Divisional Commissioner, GNCTD and he is performing all the statutory duties to the post of Divisional Commissioner. Thus, the statement which has been recorded in



para no. 4 of the aforementioned order should be modified accordingly.

3. Having regard to the aforementioned fact, the present application is allowed, and para no. 4 and 7 of the order dated 6th August, 2024 shall now be read as under:

“4. Ms. Mehak Nakra, counsel for Respondent No. 1– Govt. of NCT of Delhi submits that Shri Manish Kumar Gupta, Additional Chief Secretary (Home) is the link officer of Divisional Commissioner, GNCTD and he is performing all the statutory duties to the post of Divisional Commissioner, GNCTD.

...XX.. ...XX.. ...XX..

7. In view of the above, the presents petition is disposed of with the following directions:

(i) The Petitioner shall, within a period of one week from today, file an appeal with the Link Officer, Divisional Commissioner, GNCTD- Sh. Manish Kumar Gupta, Additional Chief Secretary (Home), under Rule 22 (4) of the of the Delhi Maintenance and Welfare of Parents and Senior Citizen Rules (Amendment) Rules, 2016 along with an application for ad-interim relief.

(ii) If such an appeal is preferred within the above timeline, the eviction order dated 22nd July, 2024 shall be kept in abeyance and not given effect to till the Link Officer, Divisional Commissioner, considers the application of the Petitioner for ad interim relief in the appeal. The Divisional Commissioner shall decide the said interim application after hearing the parties and thereafter proceed to adjudicate the appeal on its merits.

(iii) The Link Officer, Divisional Commissioner is directed to expeditiously decide the appeal which would be preferred by the Petitioner as aforesaid.”

4. With the above directions, the application is disposed of.

SANJEEV NARULA, J

SEPTEMBER 27, 2024/ab