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

+ **W.P.(C) 13725/2024 & CM APPL. 57457/2024, CM APPL. 57458/2024 and CM APPL. 57459/2024**

SMT. SANGEETA SINGH

.....Petitioner

Through: Mr. Mahabir Singh, Adv. with Mr. Yogeshwar Krishna Purohit and Mr. V. Kumar, Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Vasuchit Anamd, Adv. with Mr. Rajdeep Bishnoi, Adv. for UOI.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

30.09.2024

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1. The present Petition has been filed impugning orders dated 12.09.2024 passed by the Respondent No.4 and 18.09.2024 passed by the Respondent No.3 [hereinafter referred to as the "Impugned Orders"]. By the Impugned Orders, the learned Officer has directed immediate vacation of the premises at D-505, MS Apartments, KG Marg, New Delhi-110001 [hereinafter referred to as the "subject premises"] in terms of Section 3B of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971.
2. The grievance of the Petitioner is that her representations dated 15.06.2024 and 31.08.2024 have not been adequately dealt with.
3. Learned Counsel appearing for the Petitioner submits that the provision provides for extension of time in view of medical reasons and adequate medical reasons have been provided in the representations.



However, it is contended that learned Officer has passed a non-speaking order without deciding the representations given by the Petitioner.

4. Issue Notice.

4.1 Learned Counsel for the Respondents who appears on advance service accepts notice and submits that in view of the order that this Court proposes to pass today, no Counter-Affidavit is required in the matter and the matter can be taken up for hearing at this stage itself.

5. Accordingly, with the consent of the parties, the matter is taken up for final hearing and disposal today.

6. The Impugned Order is cryptic and unreasoned. The only reason set out in the Impugned Order is “*the extended relief sought is found to be impassible*”, which is incomprehensible.

7. The Impugned Orders are set aside. Respondent No.2 shall pass a speaking order deciding the representations of the Petitioner.

7.1 For this purpose, the Petitioner and his authorised representatives will be given an opportunity to be present for a hearing before the Concerned Officer on 04.10.2024 at 2:30 PM.

7.2 The Petitioner is permitted to produce any additional facts or documents in support of their contentions, at the time of the hearing before the concerned Authority.

7.3 The concerned officer shall pass a Speaking Order within four weeks from the conclusion of hearing.

7.4 The Speaking Order shall be communicated within a week to the Petitioner under acknowledged postal service and e-mail.

8. The Petition and all pending Applications are disposed of.

9. It is made clear that this Court has not examined the matter on merits



and the rights and contentions of both parties are open.

10. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 30, 2024/SA

Click here to check corrigendum, if any