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

+ **W.P.(C) 17280/2024**

ARUN KUMAR JAIN

.....Petitioner

Through: Mr. Sanjay Jain, Mr. Gurdeep Singh,
Ms. Ruchika, Advocates

versus

**DISTRICT MAGISTRATE NORTH GOVERNMENT OF NCT OF
DELHI & ORS.**

.....Respondents

Through: Mr. Karn Bhardwaj, ASC for
GNCTD with Mr. Shubham Singh,
Mr. Rajat Gaba, Mr. Saurabh Dahiya,
Advocates for R-1 to 4

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **19.12.2024**

CM APPL. 73508/2024 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant 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.

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4. The Petitioner has invoked Article 226 and 227 of the Constitution of India for seeking a direction to Respondent No. 1 - District Magistrate (North) Delhi, to hear and dispose of the matter remanded back to them for fresh consideration *vide* order dated 07th December, 2023, passed by the Appellate Authority of the Divisional Commissioner.
5. In this regard, on 16th December, 2024, this Court passed the following order:



“1. The Petitioner’s grievance is that there is no final adjudication of the Petitioner’s application for eviction. Reliance is placed on order dated 16th October, 2023 in CM(M) No. 1684/20231 wherein this Court was assured that the Divisional Commissioner shall adjudicate the appeal within four weeks from 20th October, 2023.

2. In compliance with the above directions, the Divisional Commissioner passed the final order on 7th December, 2023 remanding the matter back to District Magistrate to hear and consider it afresh after obtaining a field verification report from the Sub-Divisional Magistrate in respect of the facts and circumstances narrated by the senior citizens.

3. In terms of the aforementioned remand order, the despite Petitioner’s multiple requests for fixing a date in the matter, no hearing has been fixed by the District Magistrate.

4. Issue notice. Mr. Karn Bhardwaj, ASC for Respondents No. 1 & 4, accepts notice. He states that he will take instructions.

5. Issue notice to the remaining Respondents, by all permissible modes, upon filing of process fee, returnable on the next date of hearing.

6. Renotify on 19th December, 2024.”

6. Today, counsel for the Petitioner acknowledges that Respondent No. 1 has fixed the matter for hearing on 23rd December, 2024.

7. In light of the above, the relief sought by the Petitioners stands redressed.

8. However, considering that a substantial period of time of nearly one year has lapsed since the remand order was passed by the Appellate Authority, it is directed that Respondent No. 1 shall decide the matter as expeditiously as possible, not later than four months from today.

9. With the above direction, the present writ petition is disposed of.

10. All rights and contentions of the parties are left open. The Court has not examined the merits of the case.

SANJEEV NARULA, J

DECEMBER 19, 2024/ab