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

+ W.P.(C) 940/2025
ALKA SHARMA

.....Petitioner

Through: Mr. Harish Gaur and M. Atif
Abdullah Khan, Advs.

versus

STATE THROUGH COMMISSIONER OF DELHI POLICE & ORS.

.....Respondents

Through: Mr. Abhinav Singh and Mr. Praveen
Kumar Kaushik, Advs. for GNCTD.
Mr. Viplav Acharya, Sr. Panel
Counsel for UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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24.01.2025

CM APPL.4582/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The limited relief sought by the petitioner in the present petition is that the respondent no.2 [District Magistrate (District South-West)] be directed to decide the complaint filed by the petitioner on 05.12.2024 under Rule 22(3)(1)(i) of the Maintenance and Welfare of Parents and Senior Citizen Act Rules, 2009 (as amended in 2016). It is *inter-alia*, prayed as under:

“(a) Issue a writ of mandamus or any other appropriate writ, order or directions, thereby, directing the Respondent No. 2 to decide the Petition for eviction of Respondent No. 3 and for protection, under The maintenance and Welfare of Parents and Senior Citizen Rules 2009 (as



Amended), filed by the Petitioner herein against Respondent No. 3, at the earliest, preferably within one month, or in the alternate, direct the Respondent No.3 to vacate the house of the Petitioner;

(b) issue a writ of mandamus or any other appropriate writ, order or directions, thereby, directing the Respondent No. 1 to take action against Respondent No. 3 on the complaints filed by Petitioner, as per law, and to provide adequate protection to the Petitioner and her family members residing in the Property of Petitioner.”

4. Learned counsel for the respondent no.2 submits that the concerned District Magistrate is seized of the complaint and shall take expeditious steps to decide the same. It is assured and undertaken, on instructions, that the petitioner's complaint shall be dealt with on priority and an appropriate order shall be passed after considering all aspects of the matter and after providing an opportunity of hearing to the concerned parties. It is directed accordingly.
5. No further orders are directed to be passed at this stage.
6. In case, there is a necessity for the petitioner to seek protection on account of any threat to her, the petitioner shall be at liberty to approach the concerned SHO, who is directed to take appropriate action in the matter.
7. Let a copy of this order be sent to the concerned SHO.

SACHIN DATTA, J

JANUARY 24, 2025/cl