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

+ **W.P.(C) 3552/2025**

NIHALI DEVI

.....Petitioner

Through: Mr. Gaurav Deshraj, Mr. Ritik
Kumar, Advs.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Abhinav Singh, Mr. Kuldeep
Singh, Mr. Virendu Vashisht, Advs.
for R1.

Mr. Kanav Vir Singh, Adv. (Panel
Counsel-Delhi Police).

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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27.03.2025

1. The petitioner is a senior citizen, aged 84 years, and has filed the present petition seeking the following prayer –

“Issue a Writ of mandamus or any appropriate writ or direction thereby directing the Respondent/s to to execute and/or to enforce/ensure compliance of the Order No. F .P A/DM(ND)SR.CITIZEN/2021/06-09 dated 13.01.2023 passed by the DM, New Delhi district, New Delhi in the matter "Smt. Nihali vs Smt. Suman Yadav" filed under the Maintenance And Welfare of Parents and Senior Citizens Act-2007, whereby the private Respondent i.e. Smt. Suman Yadav was directed to be evicted from the house of petitioner i.e. 185, Yadav Mohalla, Near Community Centre, Rajokari, New Delhi-110038 in a time bound manner”

2. The background of the present petition is that a complaint came to be filed by the petitioner before the District Magistrate under the Delhi Maintenance and Welfare of Senior Citizens Rules, 2009 seeking eviction of Ms. Suman Yadav (respondent no.3 / grand-daughter in law of the petitioner) from the subject property being 185, Yadav Mohalla, near



Community Centre, Rajokri, New Delhi -110038 which is owned by the husband of the petitioner (hereinafter '*the subject property*') on account of being subjected to ill treatment by the respondent no.3.

3. The said complaint came to be allowed by the District Magistrate *vide* order dated 13.01.2023 and it was directed as under –

“Accordingly, this court directs that the respondent, Smt. Suman Yadav be evicted from the property in question i.e. 185, Yadav Mohalla, near Community Centre, Rajokri, New Delhi-110038 within 30 days from the date of the issuance of this order and she may start living with her husband in another property located at Rajokri, opposite to the Community Centre. Sh. Satinder Yadav, husband of the respondent is directed to ensure that Smt. Suman Yadav-is allowed to stay there with piece and dignity. The SHO Concerned is directed to ensure compliance of the above order and submit Action Taken Report in the above matter.”

4. Learned counsel for the petitioner submits that the said order dated 13.01.2023 has not been challenged by the respondent no.3 before the Appellate Authority / concerned Divisional Commissioner under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Senior Citizen Rules, 2009, however, the directions contained in the order dated 13.01.2023 have not been implemented yet. By way of the present petition, the petitioner seeks that the aforesaid directions be implemented by the concerned District Magistrate.

5. Learned counsel for the respondent nos. 1 and 2, who appear on advance notice, submit that an action taken report has already been filed before the concerned District Magistrate in terms of the directions contained in the aforesaid order dated 13.01.2023.

6. In the circumstances, the concerned District Magistrate is directed to take necessary steps to ensure compliance with the directions contained in the aforesaid order dated 13.01.2023.



7. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

MARCH 27, 2025