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

+ W.P.(C) 3857/2025 and CM APPL.17914/2025 (Stay)

MONIKA

.....Petitioner

Through: Mr. Arashdeep Singh, Mr. Sanjay
Abbot, Mr. Nitesh Gupta and Mr.
Himanshu Kasturi, Advocates.

versus

THE APPELLATE AUTHORITY-CUM-DIVISIONAL
COMMISSIONER

.....Respondent

Through: Mr. Abhinav Singh and Mr. Ramneek
Sharma, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

03.04.2025

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1. The present petition has been filed by the petitioner assailing the order dated 27.02.2025 passed in Eviction No.873/DCW/2023 titled as 'Naresh Shokeen and Anr. v. Monika and Anr'. The said order has been passed by the District Magistrate, West, Government of NCT of Delhi.
2. By the said order, the petitioner has been directed to be evicted from the property in question.
3. Admittedly, the said order is appealable under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizen Rules, 2009.
4. Learned counsel for the petitioner submits that the appellate remedy has already been invoked by the petitioner. However, despite the fact that the appeal was filed on 17.03.2025, the same has yet not been taken up for consideration by the Appellate Authority.
5. Learned counsel for the Government of NCT of Delhi submits, on



instructions that the concerned Appellate Authority-cum-Divisional Commissioner shall expeditiously fix a date of hearing in the said appeal and shall dispose of the appeal within a period of five weeks from today. In case any request for interim relief is sought by the petitioner, the said request shall also be expeditiously considered and appropriate order/s shall be passed thereon.

6. The respondent nos.2 to 4, who are present in person in Court, submit that they shall not take any precipitative steps pursuant to the impugned judgment/order dated 27.02.2025 for a period of two weeks from today, pending consideration by the appellate authority of the petitioner's application for interim relief.

7. Taking the aforesaid statements on behalf of the respondents on record, the present petition is disposed of, relegating the petitioner to the appellate forum.

8. It is made clear that this Court has not expressed any opinion on the merits of the respective contentions of the parties. It shall be for the Appellate Authority to consider whether any interim order/s is warranted in the facts and circumstances of the case.

SACHIN DATTA, J

APRIL 3, 2025/r