



\$~73

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

+ **W.P.(C) 4319/2025 and CM APPL.19988/2025**

JYOTI

.....Petitioner

Through: Mr. Nitish Chaudhary, Adv. along
with petitioner in person.

versus

GOVERNMENT OF N.C.T.D. & ORS.

.....Respondents

Through: Mr. Manashwy Jha, Panel Counsel,
R-1, GNCTD.
Mr. Ankit Parashar, Adv. for R-3
(through v/c).

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

09.04.2025

%

1. Pursuant to the order dated 03.03.2025 passed by the District Magistrate under Rule 22(3)(1) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, the petitioner along with her family members have been directed to evict the subject property being D-7, Block D, Clock Tower, Hari Nagar, New Delhi, 110064 within a period of thirty days. Aggrieved by the aforesaid order dated 03.03.2025, an appeal has been promptly filed by the petitioner before the Appellate Authority under Rule 22(3)(4) Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

2. The present petition has been filed on account of the grievance that the appeal is yet to be listed before the Appellate Authority and the petitioner's application for interim relief against the order dated 03.03.2025 is yet to be heard.



3. *Vide* order dated 04.04.2025 passed by this Court, the following interim orders had been passed in favour of the petitioner –

“10. In the meantime, in view of the aforesaid submissions of learned counsel for the petitioner, till the next date of hearing, the petitioner shall not be evicted from the subject property.”

4. Learned counsel for the petitioner submits that a hearing before the concerned Appellate Authority (respondent no.1) has now been scheduled on 16.04.2025.

5. Learned counsel for the respondent no.1 submits that the Appellate Authority shall schedule the hearings on priority in the appeal so as to ensure that the same is decided expeditiously. The said statement is taken on record.

6. In the circumstances, the present petition is disposed of by relegating the petitioner to the Appellate Authority.

7. It is clarified that the interim order dated 04.04.2025 shall continue to operate till 16.04.2025 *viz.* the date on which the appeal is slated to be heard by the Appellate Authority.

8. It is further made clear that it shall be for the Appellate Authority to consider whether the interim directions contained in the order dated 04.04.2025 passed by this Court are to be continued or not.

9. Let the concerned Appellate Authority take a view on this aspect after hearing respective counsel and without being influenced by any observations made by this Court in the order dated 04.04.2025.

SACHIN DATTA, J

APRIL 9, 2025/cl