



\$~103

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

+ W.P.(C) 5444/2025, CM APPLs. 24769/2025, 24770/2025,
24771/2025

RASHMI ALIAS POOJA BAHRY

.....Petitioner

Through: Mr. J.P Sengh (Sr. Adv) along with
Mr. Osama Suhail, Ms. Puja
Kesarwani, Mr. Karan Seth, Ms.
Aishwarya Raj, Ms. Antara
Chaudhury, Advs.

versus

DIVISIONAL COMMISSIONER & ORS.

.....Respondent

Through: Mr. Kirti Uppal (Sr. Adv) along with
Mr. Satvinder Singh, Mr. Simran Jot
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

28.04.2025

%

1. The present petition assails an order dated 05.04.2025 passed by the Ld. District Magistrate, West District, Delhi in Eviction Case No. 692/DCW/2022 titled "*Neena Bahry Vs Rahul Bahry and Anr*".
2. By way of the said order the petitioner has been directed to be evicted from property bearing no. 11/35, West Punjabi Bagh, Delhi, within a period of 30 days from the said order.
3. It is submitted that an appeal against the impugned order has already been filed under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, before the Divisional Commissioner, Shamnath Marg, Delhi.
4. The present petition has been filed by the petitioner on the

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 02/05/2025 at 12:24:39



apprehension that the petitioner shall be evicted from the said property even prior to the petitioner's appeal being considered by the appellate authority.

5. During the course of hearing, it transpires that the matter is next listed for consideration of the appellate authority on 02.05.2025.

6. Learned counsel for respondent nos. 1 and 4 i.e. the concerned appellate authority, submits and assures that the petitioner's request for interim relief shall be taken up for consideration by the appellate authority on 02.05.2025 itself, in accordance with law.

7. In case the decision on the petitioner's interim application is not rendered on 02.05.2025, the appellate authority shall consider whether any ad-interim orders are required to be passed in the facts and circumstances of the present case or not.

8. Mr. Kirti Uppal learned senior counsel for the respondent also fairly submits that if petitioner's interim application is not decided on 02.05.2025 the respondent no.2 and 3 shall not take any precipitative steps, and shall abide by the order/s of the Appellate Authority.

9. In view thereof, learned senior counsel for the petitioner does not press the present petition. The same is consequently dismissed as withdrawn.

SACHIN DATTA, J

APRIL 28, 2025/uk