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

+ W.P.(C) 5860/2025

SH. RAM CHANDER ALAIS RAMUPetitioner

Through: Mr. Gurpreet Singh, Adv.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY
OF DELHI & ORS.Respondents

Through: Mr. Kushagra Kumar, SPC, Delhi
Police.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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05.05.2025

CM APPL.26816/2025 (Exemption)

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

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3. The petitioner herein is aggrieved by the fact that the order dated 16.07.2022 [hereinafter '*the impugned order*'], passed by District Magistrate (North-East), DC Office Complex, Nand Nagri, Delhi in Case bearing No.F.PA/DC/NE/51/2020/ 1904-1311, titled as "**Sh. Ram Chander S/o Balu Ram v. Sh. Amar S/o Ram Chander & Ors.**", has not been implemented.
4. The background of the present petition is that an application dated 07.09.2020 under the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 read with the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 came to be filed by the petitioner herein before the Learned District Magistrate (North-East) seeking eviction of his 2 sons and



daughter in laws (respondent nos. 4-7) from the subject property being House No. C-440, Gokalpuri, Delhi.

5. *Vide* impugned order dated 16.07.2022, the said application came to be allowed by the Learned District Magistrate. Attention is drawn to the operative directions in the impugned order dated 16.07.2022 ; the same read as under:

“The undersigned authority, in exercise of the powers conferred upon itself under The Delhi Maintenance and Welfare of Parents and Senior Citizens (Amendment) Rules, 2016 & The Delhi Maintenance and Welfare of Parents and Senior Citizens (Amendment) Rules, 2017, hereby direct the opposite parties namely Sh. Amar, Smt. Poonam, Sh. Govinda and Smt. Neha to vacate the property in question i.e. House No.-C-440, Gokalpuri, Delhi-110094 within 60 Days from the date of this order and handover the vacant and peaceful possession to the applicant.” The Deputy Commissioner of Police shall rake coercive measures to enforce the eviction order through SHO concerned, if the opposite parties fall to evict the premises on their own within the time specified as above.

The present order would be appealable under Rule 22(3)(4) of The Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, as amended on 19th December, 2016 before the Divisional Commissioner, Delhi. The period of limitation for filing of appeal is 60 days.”

6. Learned counsel for the petitioner submits that no appeal under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizen Rules, 2009 has been preferred against the aforesaid impugned order by any of the parties. Yet, the aforesaid directions have not been implemented.

7. Learned counsel for the Commissioner of Police (respondent no.3), who appears on advance notice, submits that the respondent no.3 shall ascertain the factual position and take steps to comply with the aforesaid



directions in the order dated 16.07.2022.

8. Let the District Magistrate also issue appropriate directions to ensure implementation / execution of the aforesaid directions.
9. The petitioner is also at liberty to make an application to the concerned District Magistrate in this regard.
10. With the aforesaid directions, the present petition is disposed of.

SACHIN DATTA, J

MAY 5, 2025/cl