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

+ **W.P.(C) 5967/2025 and CM APPL.27359/2025 (Stay)**

GEETANJALI

.....Petitioner

Through: Mr. Sacchin Puri (Sr. Adv) along with
Mr. Jatin Kumar, Ms. Isha.B., Mr.
Manish Kumar, Ms. Asha Bhola, Mr.
Fardeen Khan, Mr. Harsh Vardhan,
Adv.

versus

GNCTD & ORS.

.....Respondents

Through: Adv. (Appearance not given)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **05.05.2025**

CM APPL.27360/2025 (Exemption)

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

W.P.(C) 5967/2025 and CM APPL.27359/2025 (Stay)

3. The petitioner has filed the present petition being aggrieved by eviction order dated 03.04.2025, passed by the District Magistrate (West), Raja Garden, Delhi, in Eviction Case No. 688/DCW/2022, titled *Yogender Kumar & Anr. v. Mohit Singhal & Anr.* (hereinafter '*the impugned order*'). It is submitted that an appeal has already been filed against the said order before the appellate authority i.e., the Divisional Commissioner, Department of Revenue, Govt. of NCT of Delhi. The said appeal was filed on 29.04.2025, and has been registered as Case File No. 20220000012131.
4. However, the petitioner is constrained to approach this Court as the



order passed by the District Magistrate directs the petitioner to vacate the property bearing no. A-1/255, Front Portion, Paschim Vihar, Delhi-110063 within 30 days from the date of the impugned order. It is submitted that the petitioner received the copy of the order approximately a week after its pronouncement and immediately proceeded to file the appeal on 29.04.2025. Learned Senior Counsel for the petitioner submits that despite persistent follow-ups, the appeal filed by the petitioner has not been taken up for hearing by the Appellate Authority. It is submitted that along with the appeal, the petitioner has filed an application seeking appropriate protective interim orders, so that the petitioner is not evicted during the pendency of the appeal. However, no date of hearing has been intimated to the petitioner for hearing of the appeal and for consideration of the petitioner's application for interim relief.

5. In the circumstances, the petitioner seeks appropriate directions to the Appellate Authority for expeditious consideration of the matter. The petitioner also seeks appropriate protection in the interregnum period.

6. In the aforesaid circumstances, the present petition is disposed of with a direction to the Appellate Authority to expeditiously consider the petitioner's appeal as also, the application seeking interim relief filed by the petitioner.

7. Let the matter be listed expeditiously before the Appellate Authority. Let the appeal as also the petitioner's application seeking interim relief be decided by the Appellate Authority taking into account all relevant aspects of the matter.

8. In the meantime, till consideration of the petitioner's application seeking interim relief is listed for hearing before the Appellate Authority,



status quo shall be maintained in respect of the property in question.

9. Once the matter is listed before the Appellate Authority and taken up for hearing, it shall be for the Appellate Authority to consider whether any interim orders are warranted in the facts and circumstances of the case.

10. The petition is disposed of in the above terms.

11. It is made clear that this order shall not be construed as an expression of opinion by this Court on the merits of the controversy or whether any interim order/s are warranted or not. It shall be for the Appellate Authority to take a view in the matter.

SACHIN DATTA, J

MAY 5, 2025/sv