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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7915/2020, CM APPL. 25900/2020, 7693/2021 & 35393/2023**

BASANT KUMAR JAIN

.....Petitioner

Through: Mr. Sudhir Naagar, Mr. Mohit Singh,
Advts.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Avni Singh, Panel Counsel with
Mr. Rushikanta, Adv. for R-1
Ms. Risha Dixit, Adv. for R-2
Mr. Gaurav Kumar Jain, R-3 in-
person

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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03.03.2025

1. The present Petitioner has been filed by the Petitioner *inter alia* seeking the following prayers:

"1. Issue a writ of certiorari or any other appropriate writ, order or direction thereby quashing the impugned order dated 10.09.2020 (Annexure P/1) passed by the Ld. Divisional Commissioner, Government of NCT of Delhi in Appeal No. 222/Sec- 16/2020/348 titled 'Anuja Hooda Jain & Anr. Vs. Basant Kumar Jain & Ors.' filed under The Maintenance and Welfare of Parents and Senior Citizens Act 2007 and to restore the eviction order dated 17.02.2020 passed by the District Magistrate (Shahdara), Delhi;

2. Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing immediate enforcement of eviction order dated 17.02.2020 passed by the District Magistrate (Shahdara), Delhi, in case titled Sh. Basant Kumar Jain vs. Gaurav Jain & Ors."



2. Learned Counsel for the parties submit that during the pendency of the present Petition, the Petitioner has passed away. Subsequently, the legal representatives of the Petitioner had filed an Application bearing CM. APPL. 35393/2023 for substitution of legal representatives, which was opposed by the Respondent No.2.

3. Learned Counsel for the Petitioner, on instructions from the legal representatives of the Petitioner, submits that the rights in the Petition were in '*personam*' and he wishes to withdraw the Petition and CM. APPL. 35393/2023 with liberty to take appropriate steps in accordance with law.

3.1 Liberty as sought for is so granted.

4. The present Petition and all pending Applications are accordingly disposed of.

5. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MARCH 3, 2025/jn

Click here to check corrigendum, if any