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

+ W.P.(C) 18075/2025

CHANDRA KALA

.....Petitioner

Through: Mr. Darsh Bansal, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Nitin Kumar, Panel Counsel
along with Mr. Shivam Khera,
Advocate for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

04.12.2025

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1. *Vide* order dated 28.11.2025, learned counsel for the respondent nos.1 and 2 sought time to take instructions as to the time-frame within which:

(i) the field inspection report shall be prepared by the SDM in terms of Rule 22(3)(1)(iii) of Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009;

(ii) the time frame within which, the petitioner's Eviction Petition shall be decided by the respondent no.1.

2. Today, it is informed by way of a written note as under:-

"I. It is respectfully submitted that the Hon'ble Court is informed that the Patwari previously posted in this office has been transferred vide order dated 29.10.2025 issued by the Section Officer, GA (HQ), Office of the Divisional Commissioner, 5, Sham Nath Marg, Delhi.

II. It is further submitted that all field inspection reports are required to be prepared by the Patwari. However, the said post is lying vacant w.e.f. 30.10.2025, and no new Patwari has joined this office till date.

III. In view of the above circumstances, it is most humbly prayed that this Hon'ble Court may kindly grant some additional time to enable the office to carry out and complete the required process."



3. This Court is unable to countenance as to why adjudications under the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, should be held up on account of routine posting / transfers of Patwari.
4. In the circumstances, the Office of the Divisional Commissioner is directed to ensure that the post of Patwari does not remain vacant, so that there is no impediment in preparation of the field inspection report by the SDM in terms of Rule 22(3)(1)(iii) of Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009. Let immediate steps be taken in this regard.
5. Let the field inspection report as contemplated under Rule 22(3)(1)(iii) of Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, be prepared by the SDM within a period of four weeks from today.
6. The concerned Adjudicating Authority, seized of the petitioner's complaint filed under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 read with Rule 22(3)(1) and 22(3)(iv) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, is directed to decide the petitioner's eviction petition within a period of 12 weeks thereafter.
7. The petition is disposed of in the above terms.

SACHIN DATTA, J

DECEMBER 4, 2025/r