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

+ W.P.(C) 17611/2024 & CM APPL. 74907/2024

SUMITA KAPIL

.....Petitioner

Through: In person.

versus

UNION OF INDIA AND ORS

.....Respondent

Through: Ms Manisha Agrawal Narain, CGSC
and Mr Sandeep Singh Samaria,
Advocate.

Ms Mahamaya Chatterjee, GP with
Mr Aayush Aggarwal, Advocate for
UOI.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

08.01.2025

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1. The petitioner has filed the present petition as a Public Interest Litigation (PIL), *inter alia*, praying as under:-

“A. Issue an appropriate writ, order or direction in the nature of mandamus directing the Respondents to comply with the statutory and constitutional duties as assigned to them as their non-action has caused major mental, physical and monetary loss to the senior citizens; and

B. Direct the Respondents to produce records of pendency and disposal of senior complaints pending before them and Action taken reports; and

C. Direct the Respondents to hear / investigate / lodge FIR in a time bound manner on the complaints of senior citizens; and / or”

2. The petitioner has highlighted certain cases which, according to the petitioner, indicate that there have been inordinate delays and obstructions in



according the senior citizens their rights under The Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (hereafter *the Act*).

3. It is pointed out by the petitioner that in the cases at hand the delay was caused for want of coram and on account of the authorities referring the senior citizens to other authorities instead of addressing their issues. It is submitted that proper guidelines are required to be issued to the Sub Divisional Magistrate (hereafter *the SDM*) and Additional District Magistrate (hereafter *the ADM*) to ensure that the Act is implemented and the benefit of the same is accorded to the senior citizens, who approach the SDM and the ADM.

4. In view of the facts stated above, we consider it apposite to direct respondent no.2 (Government of NCT of Delhi) as well as respondent no.4 [District Magistrate (South)] to take note of the complaints as stated in the present petition and to take measures to sensitise the concerned authorities (SDM and ADM) to deal with the cases under the Act expeditiously and in accordance with the time lines as indicated in the Act.

5. The petition is disposed of in the above terms. The disposal of the present petition would not preclude the persons whose cases are mentioned, from availing the remedies in law including filing separate writ petitions (other than the PIL) in this court. Pending application is also disposed of.

VIBHU BAKHRU, ACJ

TUSHAR RAO GEDELA, J

JANUARY 08, 2025

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[Click here to check corrigendum, if any](#)