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

+ W.P.(C) 192/2025 and CM APPL.857/2025

NISHA PANT

.....Petitioner

Through: Mr. Aashish Kumar Singh, Adv.
versus

SUSHILA PANT & ANR.

.....Respondents

Through: Mr. S.N. Gupt, Adv. for R1

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

04.02.2025

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1. The present petition assails an order dated 26.11.2024 passed by the concerned District Magistrate on an application filed by the respondent no.1 under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. Admittedly, the said order is appealable under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 as amended on 19.12.2016 before the Divisional Commissioner, Delhi.
3. It is stated that when the present petition was filed, the Appellate Authority was not in place, however, it is informed that the Appellate Authority is now functional.
4. In the circumstances, the present petition is disposed of with liberty to the petitioner to file an appeal before the Divisional Commissioner, Delhi assailing the impugned order dated 26.11.2024.
5. Learned counsel for the petitioner strenuously contends that the impugned order suffers from various errors apparent on the face of the record and presses for some interim protection. The said contentions are



strongly refuted by learned counsel for the respondent.

6. Learned counsel for the petitioner submits that the time period afforded in the impugned order for the petitioner to vacate the property in question, is about to expire. Considering the same, it is directed that *status quo* shall be maintained in respect of the property in question for a period of two weeks from today. It shall be for the Appellate Authority to consider whether any interim order is warranted thereafter. It is made clear that this order shall not be construed as an expression of opinion of this Court and the matter shall be examined by the appellate authority on its own merit.

7. The present petition is disposed of in the above terms. Pending application is also disposed of.

SACHIN DATTA, J

FEBRUARY 4, 2025/uk