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

+ W.P.(C) 8014/2026, CM APPL. 38402/2026

MANISHA

.....Petitioner

Through: Dr. Shashi Kiran, Sr. Adv. with
Mr. Arjun Sain, Mr. Mayank
Kaushik, Ms. Joshmini Minj,
Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

29.05.2026

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1. The present Petition is an abuse of process of the Court.
2. *Vide* Office Order dated 16.02.2026, the Petitioner's family accommodation was cancelled and she was directed to be shifted to *Mahila Barracks*. She filed W.P.(C) 4122/2026 captioned ***Manisha v. Union of India & Ors.***, which came to be dismissed on 06.04.2026. However, the Petitioner was granted two weeks' time to vacate the family accommodation. The order dated 06.04.2026 is extracted below:

"1. Through the present writ petition filed under Article 226 of the Constitution of India, the Petitioner essentially assails the correctness of office order dated 16.02.2026, by which the Petitioner's family accommodation has been cancelled and she has been directed to shift to *Mahila Barracks*.

2. We have heard the learned counsel representing the parties at length.

3. The learned counsel representing the Petitioner has submitted that the allotment of family accommodation has been cancelled



without giving a show cause notice and the Petitioner is admittedly married. It is submitted that that for cancellation of allotment, proper procedure has not been followed.”

4. *Per contra*, the learned counsel representing the Respondents has submitted that the Petitioner is not staying with her family at the allotted family accommodation. It is submitted that even during the pendency of the writ petition, the Petitioner has been granted two opportunities of personal hearing.

5. On a query made by the Court, the learned counsel representing the Petitioner admits that the Petitioner is by and large staying alone except occasional visit by her family members.

6. The allotted accommodation is a family accommodation and when the Respondents carried out a surprise inspection, the Petitioner was found to be residing all alone.

7. As noted above, the Petitioner has not disputed that during the duration of 1.5 years, her family members have not stayed with her and they have been occasionally visiting her.

8. It is pointed out that in the hearing dated 23.03.2026, it has been recorded that whenever the Petitioner brings her mother, she can further submit a fresh application for allotment of family accommodation, which shall be considered.

9. Keeping in view the aforesaid position, no ground is made out to exercise the writ jurisdiction.

10. However, in the peculiar facts of the case, the Petitioner is granted two weeks time to vacate the family accommodation.

11. The writ petition stands dismissed.

3. Thereafter, the Petitioner filed a Special Leave Petition bearing SLP No.13776/2026 before the Supreme Court, which came to be dismissed on 20.04.2026, while being granted extension of time to vacate and deliver the vacant possession of the premises in question on or before 16.05.2026, subject to filing of an Affidavit of Undertaking within a period of one week. The relevant paragraph of the order dated 20.04.2026 passed by the Supreme Court reads as under:

“However, we extend the time to vacate and deliver vacant possession of the premises in question on or before 16.05.2026 subject to an affidavit of undertaking being filed by the petitioner within one week failing which the respondent would be at liberty to



proceed to recover the possession from the petitioner, in accordance with law.”

4. Subsequently, the Petitioner filed a Miscellaneous Application bearing No.1602/2026 before the Supreme Court, which was dismissed on 15.05.2026 and the following order was passed:

“1. The applicant had challenged the order dated 06.04.2026 passed in W.P. (C) No.4122/2026 by the High Court of Delhi whereunder the applicant was directed to vacate the Government accommodation in her occupation and shift to the Barracks occupied by women. In the said Writ Petition, the applicant had alleged that eviction order was passed without notice and in violation of principles of natural justice amongst other grounds. The said Writ Petition came to be dismissed after having found that the applicant was staying alone and family visited occasionally and the said accommodation allotted to the applicant was meant for family and the inspection revealed violation of the conditions. However, considering the plight of the applicant and taking into consideration that applicant was a lady, two weeks' time was granted by the High Court to the applicant to vacate.

2. Not being satisfied, she approached this Court in SLP (C) No.13776/2026 which came to be dismissed vide order dated 20.04.2026. However, this Court extended the olive branch by granting the time to vacate on or before 16.05.2026 and subject to an affidavit of undertaking being filed within one week. Undisputedly, no affidavit of undertaking has been filed. However, the present Miscellaneous Application has been filed seeking for extension of time and to direct the respondents to consider her plea for re-allotment of Government married accommodation to the applicant on the ground that her husband has not availed any Government accommodation and as such she is eligible for such allotment under the applicable rules. In other words, the applicant is attempting to review the order passed by this Court in disguise.

3. This Court in Supertech Limited Vs. Emerald Court Owner Resident Welfare Association and Others in MA No. 1572/2021 in C.A. No.5041/2021, which was disposed of on 04.10.2021, has held that after the pronouncement of the judgment, there can be no legal foundation for entertaining such application for variation, modification, clarification or otherwise. This application falls fully within the four corners of seeking for modification of the order passed by this Court and requires to be dismissed with exemplary costs. Accordingly, we dismiss the same with cost of Rs.10,000/- payable to the Army Welfare Fund. Failure to pay the said amount, the respondents would be liberty to recover the same from the salary of the applicant. The time granted by this Court to the



applicant to quit, vacate and handover the peaceful possession is extended upto 30th May, 2026 subject to affidavit of undertaking being filed within three days from today.

4. Pending application(s), if any, shall stand disposed of.”

5. Today is the last working day of Courts and the Courts shall commence partial working days with effect from 01.06.2026.

6. At 4:30 PM, while this Court was about to wind up its affairs, the present Petition is brought by the same Petitioner, while seeking the following reliefs:

“a. to issue an appropriate writ, order or direction directing the Respondents to consider and decide the Petitioner's representations dated 09.05.2026, 18.05.2026 and 05.05.2026, 25.05.2026 sympathetically, fairly and expeditiously in terms of paragraph 8 of the order dated 06.04.2026 passed by this Hon'ble Court in W.P.(C) 4122/2026;

b. to issue an appropriate writ, order or direction directing the Respondents to pass a reasoned and speaking order on the Petitioner's request for family accommodation/family stay permission in accordance with applicable Rules and policy;”

7. It is evident that the Petitioner has already been offered accommodation under *Mahila Barracks* as noticed in the order dated 06.04.2026.

8. Keeping in view the aforesaid position, this Court is compelled to dismiss the present Petition. However, this Court refrains itself from imposing exemplary costs upon the Petitioner, keeping in view the fact that the Petitioner is a woman.

9. The present Petition, along with the pending application, is accordingly dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 29, 2026/jai/kb