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

+ **W.P.(C) 1495/2019**

DINESH KUMAR

..... Petitioner

Through: Mr Viraj Datar, Sr. Adv. with Mr
Kapil Sankhla, Mr Akhilesh
Aggarwal, Mr Robin Baisoya & Mr
Fagun Sharma, Advs.

versus

SMT. VIDYA DEVI AND ORS.

..... Respondents

Through: Ms Aakanksha Kaul & Ms Versha
Singh, Advs. for R-1.
Mr Divyam Nandrajog, Panel
Counsel, GNCTD with Mr Mayank
Kamra, Adv. for R-4.

+ **W.P.(C) 1496/2019 & CM Appl.6935/2019 & 21098/2021**

DINESH KUMAR

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Through: Mr Viraj Datar, Sr. Adv. with Mr
Kapil Sankhla, Mr Akhilesh
Aggarwal, Mr Robin Baisoya & Mr
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Through: Ms Aakanksha Kaul & Ms Versha
Singh, Advs. for R-1.
Mr Divyam Nandrajog, Panel
Counsel, GNCTD with Mr Mayank
Kamra, Adv. for R-4.

+ **W.P.(C) 1529/2019**

SH. SUDHIR KUMAR

..... Petitioner

Through: Mr Viraj Datar, Sr. Adv. with Mr
Kapil Sankhla, Mr Akhilesh
Aggarwal, Mr Robin Baisoya & Mr
Fagun Sharma, Advs.

versus

W.P.(C) 1495/2019 and connected matters

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SMT. VIDYA DEVI AND ORS.

..... Respondents

Through: Ms Aakanksha Kaul & Ms Versha Singh, Advs. for R-1.

Mr Divyam Nandrajog, Panel Counsel, GNCTD with Mr Mayank Kamra, Adv. for R-4.

+ **W.P.(C) 1531/2019 & CM Appl.7085/2019 & 21159/2021**

SH. SUDHIR KUMAR

..... Petitioner

Through: Mr Viraj Datar, Sr. Adv. with Mr Kapil Sankhla, Mr Akhilesh Aggarwal, Mr Robin Baisoya & Mr Fagun Sharma, Advs.

versus

SMT. VIDYA DEVI AND ORS.

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Through: Ms Aakanksha Kaul & Ms Versha Singh, Advs. for R-1.

Mr Divyam Nandrajog, Panel Counsel, GNCTD with Mr Mayank Kamra, Adv. for R-4

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

22.05.2023

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[Physical Hearing/Hybrid Hearing (as per request)]

1. The present Petition impugns order dated 15.01.2019 passed by the Appellate Authority of the Maintenance Tribunal (Under Maintenance and Welfare of the Parents and Senior Citizens Act, 2007) [hereinafter referred to as "Impugned Order"] whereby the Petitioners have been directed to hand over vacant possession of the properties, as set forth therein, to Respondent.
2. Mr. Viraj Datar, learned Senior Counsel appearing on behalf of the Petitioners, submits that, although, this Court on 15.02.2019 had issued notice in the matter, however, had declined the request of the Petitioners for *W.P.(C) 1495/2019 and connected matters*

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a stay of the Impugned Order. Subsequently, Order dated 15.02.2019 was challenged before a Division Bench by the Petitioner in LPA 182/2019 and other connected matters [hereinafter referred to as “LPA”].

2.1 By Order dated 15.03.2019, passed by the Division Bench of this Court, [hereinafter referred to as “Division Bench Order”], interim directions were passed, whereby the parties were directed to maintain *status quo* with regard to the occupation and possession of the properties.

2.2 Mr. Datar further submits that while finally disposing of the LPA, the Court by its order dated 14.11.2019, directed that the interim protection granted by the Division Bench Order shall continue to operate during the pendency and final disposal of the Writ Petitions i.e., W.P.(C) 1495/2019, W.P.(C) 1496/2019, W.P.(C) 1529/2019 and W.P.(C) 1531/2019, which are listed before this Court today.

3. Ms. Akanksha Kaul, learned counsel appearing on behalf of the Respondents fairly concedes to the contentions advanced by the Petitioner.

4 Consequently, the following Applications filed by the Petitioner for stay are closed:

(i) CM Appl.6935/2019 in W.P.(C) 1496/2019.

(ii) CM Appl.7085/2019 in W.P.(C) 1531/2019.

5. Learned Counsel for the parties seek and are granted time to file their written synopsis, not exceeding three pages, at least three days before the next date of hearing, along with compilations of judgments, if any, they wish to rely upon.

5.1 All judgments sought to be relied upon by the learned Counsel for the parties shall be filed with an index which also sets out the relevant paragraph
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numbers and the proposition of law that it sets forth.

6. List the matter on 19.10.2023.

TARA VITASTA GANJU, J

MAY 22, 2023/r

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

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