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

+ **W.P.(C) 8451/2025**

RAKESH DHAM THROUGH ATTORNEY & ANR.Petitioners

Through: Mr. Rajesh Yadav, Sr. Advocate with
Mr. Gajinder Kumar, Mr. Chandra
Shekhar and Ms. Somya, Advocates.

versus

**GOVT. OF NCT OF DELHI THROUGH OFFICE OF ADM
(SOUTH), REVENUE DEPT., TRIBUNAL FOR MAINTENANCE
AND WELFARE OF PARENTS AND SENIOR CITIZENS, SOUTH
DISTRICT & ORS.Respondents**

Through: Mr. Dhruv Rohatgi and Ms. Chandrika
Sachdev and Mr. Dhruv Kumar,
Advocates for GNCTD/ R-1 and R-6.
Mr. Chetan Roy and Mr. Divya
Prakash Singh, Advocates for R-4
along with R-4.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **16.06.2025**

CM APPL Nos. 36762-64/2025 (for exemptions)

1. Allowed, subject to all just exceptions. Applications are disposed of.

**W.P.(C) 8451/2025 & CM APPL. 36761/2025 (for stay on impugned
order dated 11th June, 2025)**

2. The present petition has been filed by the Petitioner under Article 226
and 227 of the Constitution of India seeking quashing of the impugned order
dated 11th June, 2025 passed by the ADM, Tribunal for Maintenance and



Welfare of Parents and Senior Citizens in Case No. 630/2025.

3. Ms. Chandrika Sachdev, Id. Counsel for Respondent Nos. 1 and 6/ GNCTD and Mr. Chetan Roy, Id. Counsel for Respondent No.4 enters appearance on advance notice.

4. It is submitted by Mr. Rajesh Yadav, Id. Senior Counsel appearing for the Petitioner that the possession of the suit property has already been taken illegally by the Respondent Nos. 2 and 3 by breaking open the locks.

5. It has also been submitted by Mr. Yadav, Id. Senior Counsel for the Petitioner that (i) that the possession has not been taken by executing the order; (ii) that ingredients of Section 23 (1) of the Maintenance of Parents and Senior Citizen Act are missing in the present case and are not met (iii) that the son has given a statement recorded in para 6 of the impugned order that he will provide accommodation to the parents

6. The matter requires consideration. Accordingly, issue fresh notice to Respondent Nos. 2 and 3 through all permissible modes, returnable on the next date.

7. Let notice also be issued to Respondent No.5/ SHO to file the status report as to the suit property.

8. Put up on 27th June, 2025 before the Vacation Bench.

RAJNEESH KUMAR GUPTA, J
(VACATION JUDGE)

JUNE 16, 2025/nd