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

+ W.P.(C) 12721/2023

SMT RITU TANEJA & ANR.

.....Petitioners

Through: Ms. Mouli Bhattacharjee, Advocate.

versus

THE GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Archana Gaur, DHCLSC with
Ms. Ridhima Gaur & Mr. Deepu
Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **20.03.2026**

CM APPL. 17677/2026 (for ad-interim stay)

1. This application is by the petitioners for the stay of the order dated 28.08.2023 passed by the Appellate Authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Act). *Vide* the impugned order, the Appellate Authority has allowed the appeal filed by respondents no. 2 and 3-senior citizens against order dated 12.04.2022 passed by the District Magistrate, whereby, the petitioners had been directed to vacate the ground floor of the property in question.
2. The petitioners assail the impugned order primarily on the ground that the same is arbitrary and that its implementation would render the petitioner's homeless.
3. A perusal of the impugned order, however, would indicate that the



Appellate Authority considered the factum of the petitioners' possession of a different property situated in Khirki Extension whose title deed was with respondents. Furthermore, the respondents are also stated to have offered to the petitioners, two plots in Faridabad. The respondents have been directed to handover the original papers of the aforesaid three properties to the petitioners as soon as the property in dispute is vacated by the latter.

4. Having considered the overall facts and circumstances, especially in light of the fact that the petitioners are in possession of an alternate place of residence, there is no reason to stay the operation of the impugned order. The same is in accordance with the mandate of the provisions of the Act.

5. Accordingly, the application stands dismissed.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 20, 2026

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