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

% **Date of Decision: 13<sup>th</sup> July, 2026**

+ **CONT.CAS(C) 1865/2024 & CM APPL. 42473/2026**

**MS SILKI KAUR**

.....Petitioner

Through: Ms. Deepti Bhagat and Mr. Garima Aggarwal, Advs., along with petitioner in person.

Mob: 9716507934 & 9599536871

Email: [deeptibhagat30@gmail.com](mailto:deeptibhagat30@gmail.com)

versus

**GOVT OF NCT OF DELHI AND ORS.**

.....Respondent

Through: Mr. Abhinav Singh, Mr. Rishab Mittal, Mr. Sarthak Garg and Mr. Surendra Kumar, Advs. for R-1, 2 & 9

Mr. Abhishek Singh, Adv. for R-7 (Through VC)

Mr. Prateek Goswami, Adv. for R-8

Mr. Mukesh Kumar, ACP, Mr. Rohit, SI, Ms. Pooja, SI and Mr. Vinod, ASI, PS-Rani Bagh.

Mob:

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J (ORAL):**

1. The present contempt petition has been filed seeking initiation of contempt proceedings alleging violation and disobedience of the order dated 07<sup>th</sup> November, 2024, passed by this Court in *W.P.(C) 15504/2024*, titled as *Ms. Silki Kaur Versus Govt of NCT of Delhi and Ors.*
2. The said order dated 07<sup>th</sup> November, 2024, reads as under:



*“1. The Petitioner has preferred an appeal under Rule 22(3)(4) of the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 before the Divisional Commissioner impugning order dated 26<sup>th</sup> September, 2024 passed by the District Magistrate. In the said appeal, Petitioner has also filed an interim application dated 22<sup>nd</sup> October, 2024 seeking stay of the Impugned order.*

*2. Counsel for the Petitioner states that the appeal was listed before the Court of the Divisional Commissioner yesterday, however, the matter could not be taken up for hearing and was adjourned to 22<sup>nd</sup> November, 2024. She submits that with effect from 09<sup>th</sup> November, 2024, the Impugned order passed by the District Magistrate would be enforceable and in absence of any orders, the Petitioner runs the risk of being evicted.*

*3. Considering the above, without going into the merits of the case, the present writ petition is disposed of with a direction that the Impugned order dated 26<sup>th</sup> September, 2024 shall not be enforceable till 22<sup>nd</sup> November, 2024, when the matter will be taken up by the Divisional Commissioner. In the event, the Divisional Commissioner is unable to take up the matter on the said date, the protection granted in this order shall be extended till the date when the interim application dated 22<sup>nd</sup> October, 2024 of the Petitioner is taken up.*

*4. At this juncture, it must be noted that there have been series of orders, passed by this Court, expressing concerns regarding vacancy of the post of Divisional Commissioner and the ad-hoc arrangement under which the functions were being discharged by Link Officers. Considering the significance of this post and the steady influx of matters under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, being filed before this Court on account of the vacancy, it is imperative that the position be filled with a permanent appointee. If this issue is not already addressed, the Court expects that the Government of NCT of Delhi will take expeditious steps to make a regular appointment to this critical post. A permanent appointment would ensure that grievances of senior citizens, brought under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, receive timely redress, reflecting the statutory intent of providing effective support to senior citizens in need.*



5. *Mr. Sannu, counsel for Respondents No. 1 and 2, assures that appropriate steps, if so required, shall be undertaken expeditiously.*

6. *The present petition is disposed of along with pending applications.*

7. *Dasti under the signatures of the Court Master.”*

3. It is the contention on behalf of the petitioner that stay was accordingly granted on the Eviction Order dated 26<sup>th</sup> September, 2024, passed by the District Magistrate, *vide* the aforesaid order dated 07<sup>th</sup> November, 2024, passed by this Court in *W.P.(C) 15504/2024*, by recording that no eviction proceedings shall be carried out against the petitioner herein, till 22<sup>nd</sup> November, 2024.

4. However, despite the aforesaid order, on 14<sup>th</sup> November, 2024, the respondents, along with the Police officials came to evict the petitioner herein from the property in question, i.e., *House No. 55, Harsh Vihar, Pitampura, New Delhi-110034*.

5. Further, the goods of the petitioner were thrown out, and it is only when the father of the petitioner subsequently showed the copy of the order dated 07<sup>th</sup> November, 2024 to the Police, that the Police Officials stopped.

6. *Per contra*, learned counsel appearing for the respondent nos. 7 and 8 submit that after passing of the Eviction Order dated 26<sup>th</sup> September, 2024 by the District Magistrate, an application had been moved on behalf of respondent no. 7 before the District Magistrate, for execution of the said Eviction order. Thus, *vide* order dated 06<sup>th</sup> November, 2024, the District Magistrate had directed the Police to execute the Eviction Order dated 26<sup>th</sup> September, 2024, in order to evict the petitioner herein from the property in question.



7. It is submitted that respondent no. 7 was not aware of the order dated 7<sup>th</sup> November, 2024 passed by this Court, and that it was only inadvertently, in the absence of any knowledge of the order dated 07<sup>th</sup> November, 2024 passed by this Court, that steps were taken on 14<sup>th</sup> November, 2024 to evict the petitioner on the basis of the order dated 06<sup>th</sup> November, 2024 passed by the District Magistrate, who gave directions to execute the eviction order dated 26<sup>th</sup> September, 2024.

8. Refuting the aforesaid submission, learned counsel appearing for the petitioner submits that the petitioner had handed over the copy of the order dated 07<sup>th</sup> November, 2024 personally to the respondents, and that they were aware of the said order.

9. Having heard the learned counsels for the parties, it is to be noted that the order dated 07<sup>th</sup> November, 2024, records the presence on behalf of only respondent nos. 1 and 2, i.e., Government of NCT of Delhi (“GNCTD”). There is no presence of the private parties.

10. In the present contempt proceedings, this Court would not go into any disputed questions of fact, as regards the service of the order in question to the respondents.

11. This Court takes note of the fact that the petitioner is still staying in the property in question.

12. Further, this Court has been informed that the appeal under the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 before the Divisional Commissioner, has been decided in favour of the petitioner herein, and thus, the petitioner continues to stay in the property in question.

13. Learned counsel appearing for the Delhi Police extends unconditional apology before this Court, and submits that the Delhi Police has full regard



and respect for the orders passed by this Court. It is submitted that it was only inadvertently, that the Delhi Police had gone for eviction of the petitioner from the property in question on 14<sup>th</sup> November, 2024, on the basis of the order dated 06<sup>th</sup> November, 2024, passed by the District Magistrate, to execute the Eviction Order dated 26<sup>th</sup> September, 2024, passed by District Magistrate.

14. Learned counsel appearing for the Delhi Police further submits that the Delhi Police was not aware of the order dated 07<sup>th</sup> November, 2024, passed by this Court. He submits that the moment the order dated 07<sup>th</sup> November, 2024, was brought to the knowledge of the officials of the Delhi Police, they stopped the eviction proceedings, forthwith.

15. Thus, it is submitted that the petitioner herein was not evicted, and the Delhi Police stopped its action, upon being informed of the order dated 07<sup>th</sup> November, 2024 passed by this Court in *W.P.(C) 15504/2024*.

16. This Court also takes note of the submissions made on behalf of respondent no. 8 that the Eviction Order was also against respondent no. 8, and that he had already shifted his goods out of the property in question.

17. Learned counsel appearing for respondent no. 8 also submits that respondent no. 8 has full respect for the orders passed by this Court, and has never intended to violate the order passed by this Court, in any manner, whatsoever.

18. Considering the submissions made before this Court, no orders are required to be passed in the present proceedings.

19. However, in case, the petitioner is aggrieved by any action taken by the respondents, on account of alleged manhandling of the petitioner during the eviction proceedings on 14<sup>th</sup> November, 2024, she is at liberty to initiate



legal proceedings, in accordance with law.

20. However, in the present contempt proceedings, this Court cannot go into disputed questions of facts, as the issues raised before this Court would be subject matter of Trial.

21. With the aforesaid directions, the present petition is accordingly disposed of.

22. Pending application also stands disposed of.

**MINI PUSHKARNA, J**

**JULY 13, 2026/SK**