

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 8535 of 2023

Petitioner :- Rashid Akbar

Respondent :- Nadeem Ahmad

Counsel for Petitioner :- Umesh Kumar Dubey, Mridul Mishra

Counsel for Respondent :- Jeet Bahadur Singh

Hon'ble Prakash Padia, J.

1. The present petition has been filed inter-alia with the prayer to set aside the order dated 24.07.2023 passed by the Additional District Judge, Court No.2, Aligarh in Case No. 78 of 2022 (Rashid Akbar vs. Nadeem Ahmad).

2. By the aforesaid order, a direction was given in the aforesaid case to execute the decree as per the procedure prescribed in law.

3. Aggrieved against the aforesaid, the petitioner has preferred the present petition.

4. Shri Jeet Bahadur Singh, learned counsel put up his appearance on behalf of landlord has placed before this Court the copy of the documents on the basis of which it is argued that possession of the property in dispute has already been handed over to the decree holder namely plaintiff-respondent.

5. In this view of the matter, it is argued that the present petition has now become infructuous.

6. On the other hand, it is argued by the counsel for the petitioner that wholly illegally the lock has put up on the premises and some household appliances is still in the possession of the respondent-landlord.

7. Since possession has already been handed over, no relief court be granted.
Dismissed.

8. Insofar as for handing over the household appliances, the petitioner is free to move an application in this regard before the concerned competent authority. In case, such an application is filed within a period of one week from today, the authority concerned will pass appropriate orders on the same within a period of ten days thereafter.

Order Date :- 21.11.2023

Swati