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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 231/2016**

NARINDER GUPTA & ANRPetitioners

Through: Mr. Siddharth Aggarwal, Adv.
versus

ANIL KR BHATI Respondent

Through: Mr. Vaibhav Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **21.03.2016**

1. Learned counsel for the petitioners submits that he has taken over the possession of the subject premises by operating the keys sent by the petitioner on 11th March, 2016. It is further submitted that no objection was raised by the respondent at the time of taking over the possession.
2. Mr. Vaibhav Jain, learned counsel who appeared for the respondent on 04th September, 2015 in CS (OS) 185/2015, submits that he sent a written intimation of the respondent by registered AD/Post but the registered letter came back with the remarks that the respondent was not residing at the given address.
3. Learned counsel for petitioner submits that respondent has not paid the use and occupation charges in terms of the order dated 04th September, 2015.
4. Learned counsel for the petitioner seeks permission to withdraw this petition with liberty to recover the outstanding amount through execution proceedings.
5. This petition is dismissed as withdrawn with liberty as prayed for.

J.R. MIDHA, J.

MARCH 21, 2016/ak