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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 598/2018 & CM APPL. 52165/2018 and 30695/2019
MADHU Petitioner

Through Mr. Khushbir Singh, Advocate

versus

YOGESH CHANDRA Respondent
Through Mr. Deepak Gupta and Mr. Rupender
Sharma, Advocates

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **11.10.2019**

CM APPL. 43761/2019 (for rejection of the petition)

Matter is listed today on an application filed by the respondent seeking rejection of the revision petition. With the consent of the parties, the revision petition is taken up for hearing today. The next date fixed i.e. 04.11.2019 is hereby cancelled.

RC.REV. 598/2018

1. Petitioner impugns order dated 13.09.2018 whereby leave to defend application filed by the petitioner has been dismissed.
2. Subject eviction petition was filed by the respondent on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958 seeking eviction of the petitioner from Shop No. 1 on the ground floor, Municipal 4340, Block No. 4, Ansari Road,

Darya Ganj, New Delhi, more particularly as shown in red colour in the site plan annexed with the eviction petition.

3. Learned counsel for the petitioner submits that the petitioner was originally in occupation of the tenanted premises, however, by virtue of a decree of the Court dated 07.11.2019 in *Civil DJ No. 609706/2016, titled 'Dilip Kumar Vs. Om Prakash & Ors.'* the tenancy rights in the said shop stands transferred to the legal heirs of Shri Dilip Kumar and petitioner has no right, title and interest in the subject property and has ceased to be a tenant thereof. This is disputed by learned counsel for the respondent.

4. However, learned counsel for the petitioner submits that since petitioner has no concern with the tenancy or the said shop, the petitioner does not wish to press the present petition and seeks leave to withdraw the petition.

5. The petition is accordingly dismissed as withdrawn. It is clarified that this Court has neither considered nor commented on the rights, if any, of the legal heirs of Shri Dilip Kumar.

6. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

OCTOBER 11, 2019

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