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

+ **RC.REV. 8/2023 & CM APPL. 1872/2023**

MEERA JAIN (SINCE DECEASED THR LRS)
& ORS.

.....Petitioners

Through: Mr. Rajesh Bhatia & Mr. Hemant
Kakkar, Advocates with Petitioner
Nos. 1 & 3.

versus

SANJAY JAIN & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

09.12.2024

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1. Petitioner Nos.1 and 3 are physically present in Court today and submits that Petitioner No.2 is their sister and that they are authorized to make statement on her behalf.
2. Learned Counsel for the Petitioners submits that the possession of the subject premises has already been taken over through execution proceedings.
3. This Court has taken a view that since the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition has become infructuous.
4. The attention of the learned Counsel for the Petitioners is drawn upon the judgment passed by this Court in *Ashok Gupta v. Deepak Rao*¹, which

¹ 2024 SCC OnLine Del 7148



has relied upon the Judgments of the Supreme Court in *NC Daga v. Inder Mohan Singh Rana*² and *Vinod Kumar Verma v. Manmohan Verma*³. This Court is supported in its view by judgments passed by Coordinate Benches of this Court including *Om Prakash Ashok Kumar & Sons v. Ajay Khurana*⁴, *Neelam Sharma v. Ekant Rekhan*⁵, and *Bhawani Shankar v Nand Lal and Ors.*⁶

5. In addition, the Petitioners are adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

6. In view of the foregoing discussion, the Petitioners seek and are granted liberty to withdraw the present Petition. The Petition and all pending Applications stand disposed of.

7. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

DECEMBER 9, 2024/ ha/pa

[Click here to check corrigendum, if any](#)

² (2003) 1 SCC 453

³ Civil Appeal Nos. 5220-5221 of 2008 dated 19.08.2008

⁴ 2024 SCC OnLine Del 5228

⁵ 2019 SCC Online Del 6487

⁶ 2021 SCC OnLine Del 4284