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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 125/2023 & CM Appl.23354/2023**
PREM PALPetitioner

Through: None.
versus

YASHPAL AHUJARespondent
Through: Mr. Deepak Bhardwaj, Adv.

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
26.11.2024

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1. None appears for the Petitioner. There was no appearance on behalf of the Petitioner on the last date of hearing as well.
2. Learned Counsel for the Respondent submits that the possession of the subject premises has already been taken by the Respondent through execution proceedings.
3. Learned Counsel for the Respondent, thus, submits that since the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition has become infructuous.
- 3.1 In this regard, reliance is placed upon the judgment passed by this Court in *Ashok Gupta v. Deepak Rao*¹, which 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.*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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

⁴ 2024 SCC OnLine Del 5228



Ekant Rekhan⁵, and ***Bhawani Shankar v Nand Lal and Ors.***⁶

4. In addition, it is contended that the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.
5. In view of the foregoing, the Petition and pending Application stand dismissed.
6. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

NOVEMBER 26, 2024/r

Click here to check corrigendum, if any

⁵ 2019 SCC Online Del 6487

⁶ 2021 SCC OnLine Del 4284