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

+ **RC.REV. 141/2021**

TILWANT SINGH

.....Petitioner

Through: Mr. J.C. Mahindro & Mr. Abhishek
Kumar, Advocates.

versus

NAVNEET KAUR

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

03.12.2024

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1. It is not disputed by the learned Counsel for the Petitioner that the possession of the subject premises has already been restored to the Respondent through execution proceedings. This has also been recorded in the order dated 07.02.2024.

2. 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.

3. The attention of the learned Counsel for the Petitioner is drawn 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

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



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

4. In addition, the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

5. Learned Counsel for the Petitioner submits that the Petitioner wishes to agitate its right in an appropriate forum.

5.1 Learned Counsel for the Petitioner seeks and is granted permission to withdraw the present Petition with liberty to file appropriate proceedings in accordance with law.

6. In view of the foregoing, the Petition stand dismissed as withdrawn.

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

TARA VITASTA GANJU, J

DECEMBER 3, 2024/ ha

Click here to check corrigendum, if any

⁴ 2024 SCC OnLine Del 5228

⁵ 2019 SCC Online Del 6487

⁶ 2021 SCC OnLine Del 4284