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

+ **RC.REV. 147/2021**

MANGE RAM

..... Petitioner

Through: Mr Rajeshwar Kumar Gupta, Adv.

versus

RAJESH NARAIN GOEL

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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19.03.2024

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 34806/2021 (stay) & CM APPL. 53810/2022 (stay)

1. Admittedly, possession of the subject premises stands restored to the respondent/landlord in execution proceedings on 08.12.2022. Learned counsel for petitioner submits that he did not come to know about initiation of execution proceedings, though the predecessor bench on 13.09.2022 had verbally granted him liberty to move fresh stay application. Admittedly, order dated 13.09.2022 does not make any such observation. Learned counsel for petitioner also submits that the subject premises fell in slum area but no permission was sought from competent authority by the respondent/landlord, though this plea was not taken before the learned trial court.

2. In view of the judicial precedents in cases titled ***Smt. Poonam Bangia vs. Harbhagwan Dass Chandiramani*** in RC. REV. 16/2021 & CM. APPL.



2959/2021; ***N.C. Daga vs. Inder Mohan Singh Rana*** in Appeal (Civil) 831/2002; ***Vinod Kumar Verma vs. Manmohan Verma & Anr.*** in Civil Appeal Nos. 5220-5221/2008; ***L.S. Shanmuga Sundaram vs. P. Kunji Mohideen Kutty Haji*** in C.R.P. (NPD) No. 1571/2022 and C.M.P No. 7932/2022, the petition is dismissed as infructuous since possession of the subject premises stands restored to the respondent/landlord.

GIRISH KATHPALIA, J

MARCH 19, 2024/as

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