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

+ **RC.REV. 249/2023 & CM Appl.47483/2023**

ASHOK KUMARPetitioner

Through: None.

versus

MANJEET KAURRespondent

Through: Mr. Rakesh Wadhwa, Mr. Sahil
Sharma, Advs. with Respondent in
person.

(62)

+ **RC.REV. 261/2023 & CM Appl.49635/2023**

ASHA RANI & ANR.Petitioners

Through: None.

versus

MANJEET KAURRespondent

Through: Mr. Rakesh Wadhwa, Mr. Sahil
Sharma, Advs. with Respondent in
person.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

19.11.2024

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1. Learned Counsel for the Respondent submit that the possession of the subject premises has already been taken by the Respondent through execution proceedings as recorded by this Court on 21.10.2024.
2. On the last date of hearing, learned Counsel for the Petitioners had sought time to take instructions and the matters were kept at fixed time at the request of the parties.
3. The matters have already been passed over by the Court. It is already 4:30 PM. Neither the Petitioners nor their Counsel is present. The Respondent is physically present in the Court.
4. Learned Counsel for the Respondent, thus, submits that since the



possession of the subject premises has been restored, nothing further survives in the present Petitions and the Petitions have become infructuous.

4.1 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. Ekant Rekhan*⁵, and *Bhawani Shankar v Nand Lal and Ors.*⁶

5. In addition, it is contended that the Petitioners/tenants are adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

6. In view of the foregoing discussion, the Petitions and all pending Applications stand disposed of

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

TARA VITASTA GANJU, J

NOVEMBER 19, 2024/r

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

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

⁵ 2019 SCC Online Del 6487

⁶ 2021 SCC OnLine Del 4284