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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2885/2024 & CM APPL. 38216/2024**
MOHD. JAVED & ANR.Petitioners

Through: Mr. Amit Dhalla, Advocate (through
VC).

versus

NASEEMA BEGUM & ANR.Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
15.07.2024

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1. Petitioner herein had moved an application under Order I Rule 10 of CPC before the learned Trial Court mentioning therein that he was a necessary party as the tenant had already handed him over the physical and vacant possession of the tenanted premises and, in order to safeguard his rights, he moved the above application so that he is also impleaded as a party to said eviction petition.
2. His such application was dismissed, holding that the nature of the petition was eviction of the tenant from the tenanted premises and the Court of Additional Rent Controller has no jurisdiction to decide upon the title.
3. Be that as it may, Mr. Amit Dhalla, learned counsel for petitioner has apprised this Court about one significant subsequent development.
4. It is informed that the eviction petition has already been disposed of by the learned Court of Additional Rent Controller on 10th instant, and, therefore, it is prayed that he may be permitted to withdraw the present application and

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be also given liberty to explore the other possible avenues. He also states that all his rights and contentions may be kept reserved.

5. In view of the aforesaid development and appreciating the fact that the eviction petition has already been disposed of, the present petition permitted to be withdrawn.

6. The petition is, accordingly, stands dismissed as withdrawn.

7. Liberty, as prayed, is granted and all the rights and contentions of the parties are reserved.

MANOJ JAIN, J

JULY 15, 2024/sw