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

+ **RC.REV. 138/2016**

SRI KISHAN

.....Petitioner

Through: None.

versus

ROHTAS SAINI

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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12.12.2024

1. None appears for the parties.
2. The order dated 29.02.2016 passed by a Coordinate Bench of this Court shows that the possession of the subject property has already been taken over by the landlord.
3. This Court in *Ashok Gupta v. Deepak Rao*¹, relying on the judgments of the Supreme Court in *NC Daga v. Inder Mohan Singh Rana*² and *Vinod Kumar Verma v. Manmohan Verma*³ has held that once the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition has become infructuous.
- 3.1 This Court is supported in its view by judgments passed by Coordinate Benches of this Court including *Om Prakash Ashok Kumar &*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



***Sons v. Ajay Khurana*⁴, *Neelam Sharma v. Ekant Rekhan*⁵ and *Bhawani Shankar v Nand Lal and Ors.*⁶**

4. The Petitioner/tenant is also adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.
5. The present Petition is accordingly dismissed.

TARA VITASTA GANJU, J

DECEMBER 12, 2024/jn

[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