



\$~41

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

+ **RC.REV. 237/2024, CM APPL. 51045/2024**

SH NARESH CHAND

.....Petitioner

Through: Mr. Anjum Kumal and Mr. Nariman
Thakkar, Advocates along with
Petitioner in person.

versus

SH SANJAY & ANR.

.....Respondents

Through: Mr. Sunil Lalwani, Advocate

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

23.12.2024

%

1. Learned Counsel appearing on behalf of the Respondents/landlord submits that the possession of the subject premises has already been recovered by the Respondents/landlord on 22.12.2024 through Execution Proceedings.

2. Learned Counsel for the Respondents/landlord further submits that since the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition has become infructuous.

2.1 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

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453



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

3. The Petitioner/tenant is also adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

4. Learned Counsel appearing on behalf of the Petitioner/tenant, on instructions from the Petitioner, who is physically present in the Court today, seeks and is granted liberty to withdraw the present Petition.

5. In view of the above, the Petition is dismissed as withdrawn. Pending Applications, if any, stand closed.

TARA VITASTA GANJU, J

DECEMBER 23, 2024

g.joshi

Click here to check corrigendum, if any

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