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

+ **RC.REV. 285/2024, CM APPL. 61394/2024**

SH HARSH KUMAR(D) THR LRS AND ANRPetitioners
Through: Mr. Bharat Deepak, Mr. Tajeshwar
Singh and Mr. Tarun Kapoor,
Advocates
versus

SMT KAMLA DEVIRespondent
Through: Mr. Amitabh K., Advocate along with
Respondent in person

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
11.12.2024

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1. Learned Counsel appearing on behalf of the Respondent submits that the Respondent/landlord has recovered the possession of the subject premises in accordance with the law through execution proceedings.
2. Learned Counsel for the Respondent/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. In addition, it is contended that the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

4. Learned Counsel appearing on behalf of the Petitioners/tenants seeks and is granted permission to withdraw the present Petition with liberty to take appropriate proceedings under Section 19 of Delhi Rent Control Act, if need arises, in accordance with the law.

5. Accordingly, the Petition is dismissed as withdrawn with liberty as prayed for. Pending Application stand closed.

TARA VITASTA GANJU, J

DECEMBER 11, 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