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

+ **RC.REV. 476/2018**

KAMLESH GUPTA

..... Petitioner

Through: None.

versus

ARUN SHARMA

..... Respondent

Through: Mr. Kishor Kumar Srivastava,
Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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26.02.2024

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 40703/2018 (delay in re-filing), CM APPL. 40702/2018 (appointment of survey commissioner), CM APPL. 40704/2018 (stay) and CM APPL. 40818/2018 (additional documents)

1. It is submitted by learned counsel for respondent/landlord that possession of the subject premises was restored to the respondent/landlord on 27.08.2018, so the petition has become infructuous.

2. Since none has appeared for petitioner, be awaited.

GIRISH KATHPALIA, J

FEBRUARY 26, 2024/rk

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

Present: Mr H.P. Chakravorti, adv. for petitioner.



Mr Kishore Kumar Srivastava, adv. for respondent.

3. In this post lunch session, learned counsel for petitioner admits that possession of the subject premises stood restored to the respondent/landlord in execution proceedings on 27.08.2018. Before me this matter came up for the first time today. Learned counsel for petitioner seeks permission to withdraw this petition with liberty to file appropriate legal proceedings.

4. Accordingly, the petition as well as all pending applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

FEBRUARY 26, 2024/ry

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