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

+ **RC.REV. 629/2018**

AJAY KUMAR SHARMA

.....Petitioner

Through: None.

versus

SHASHI RASTOGI & ANR

.....Respondents

Through: Ms. Muskaan Rathee & Ms. Ekta
Kalra, Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

17.12.2024

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1. Learned Counsel for the Respondents reiterates that the possession of the subject premises has already been taken by the Respondents through execution proceedings.

2. This Court, on 02.12.2024, had recorded as follows:

“3. Learned Counsel for the Respondents, thus, 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.

*3.1 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 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***

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



Khurana⁴, Neelam Sharma v. Ekant Rekhan⁵, and Bhawani Shankar v Nand Lal and Ors.⁶

4. In addition, it is contended that the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.”

3. There was no appearance on behalf of the Petitioner on the last date of hearing. None appears for the Petitioner even today.

4. In view of the foregoing, the Petition is dismissed.

TARA VITASTA GANJU, J

DECEMBER 17, 2024/ ha

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