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

+ **RC.REV. 43/2016, CM APPLs. 2773/2016, 13204/2023**

MANMOHAN

.....Petitioner

Through: None.

versus

DHARMENDER GUPTA

.....Respondent

Through: Mr. Ghanshyam Mishra, Advocate

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

17.01.2025

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1. None appears on behalf of the Petitioner.
2. This Court, on the last date of hearing i.e., 13.01.2025, had recorded the submissions of the learned Counsel appearing on behalf of the Respondent/landlord that the possession of the subject premises has been recovered in accordance with the law through execution proceedings.
3. 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.
- 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

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

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.

5. Learned Counsel appearing on behalf of the Respondent/landlord submits that the matter can be disposed of in terms of the foregoing judgments. Accordingly, the Petition is disposed of. All pending Applications also stand closed.

6. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

JANUARY 17, 2025

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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