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

+ **RC.REV. 119/2020**

MOHD SUBHAN

.....Petitioner

Through: None.

versus

ABDUL WAHAB

.....Respondent

Through: Ms Sana Ansari, Mr. I. Ahmed & Mr.
Tanveer Zaki, Advocates.

+ **RC.REV. 120/2020**

MOHD HANNAN & ANR

.....Petitioners

Through: None.

versus

ABDUL BASIT

.....Respondent

Through: Ms Sana Ansari, Mr. I. Ahmed & Mr.
Tanveer Zaki, Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

05.03.2025

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1. None appears for the Petitioners.
2. Learned Counsel for the Respondents submits that the possession of the subject premises has been taken over almost three years back.
3. Given the settled law in this behalf, the Petitions have become infructuous. This Court by its order dated 03.03.2025 had directed as follows:

“1. A Coordinate Bench of this Court had given a finding that the



possession has already been recovered of the subject premises.

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

4. In view of the foregoing, nothing further survives. The matters have become infructuous.

5. Let the Petitioners remain present in Court on the next date of hearing.”

4. Learned Counsel for the Respondents submits that even the user and occupation charges affixed by this Court have not been paid by the Petitioners. The Respondents are at liberty to take appropriate steps in accordance with law to recover the user and occupation charges or damages for the period the Petitioners were in possession.

5. In view of the foregoing, the Petitions are disposed of.

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

TARA VITASTA GANJU, J

MARCH 5, 2025/ ha

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

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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