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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 84/2024 & CM Appl.17065/2024**
RAMESH KUMARPetitioner

Through: None.

versus

CHANDER MOHAN AGGARWALRespondent

Through: Mr. Balaji Subramanian and Mr.
Akash Kundu, Advs.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **31.01.2025**

1. None appears for the Petitioner despite the matter being called twice.
2. Learned Counsel for the Respondent once again reiterates that possession of the subject premises has already been taken by the Respondent through execution in accordance with law.
3. On the last date of hearing, the Petitioner has sought time to take instructions, however, neither the Petitioner nor his Counsel is present today.
4. Learned Counsel for the Respondent 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. 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 &*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



*Sons v. Ajay Khurana*⁴, *Neelam Sharma v. Ekant Rekhan*⁵, and *Bhawani Shankar v Nand Lal and Ors.*⁶.

5. In addition, the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

6. The Petition is accordingly disposed of in terms of the foregoing judgments. Pending Application shall also stand closed.

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

TARA VITASTA GANJU, J

JANUARY 31, 2025/r

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