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

+ **RC.REV. 183/2019**

MANOHAR LAL BAJAJ (SINCE DECEASED)
THR LRS & ANR

.....Petitioners

Through: None.

versus

ASHA KAKKAD & ANR

.....Respondents

Through: Mr. Advocate [appearance not given]

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

05.03.2025

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1. This Court, by its order dated 20.01.2025, after examining the Impugned Order in detail, had set out that there was no infirmity with the same.
2. Thereafter, on that date, the matter was adjourned at the request of the Petitioners. Subsequently, the Petitioners have chosen not to appear in the matter.
3. Learned Counsel for the Respondents submits that the possession has been taken over on 17.02.2025.
4. None appears for the Petitioners. There was no presence on their behalf on the last date as well. Clearly, the Petitioners are not interested in prosecuting the matter.
5. Learned Counsel for the Respondents further submits that the Court, by its order dated 12.09.2023, fixed user and occupation charges which have



not been paid by the Petitioner. The Respondents are at liberty to take appropriate steps in accordance with law for recovery of these charges.

6. Learned Counsel for the Respondents also 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.

7. In this regard, reliance is placed upon the judgment passed by this Court in *Ashok Gupta v. Deepak Rao*; 2024 SCC OnLine Del 7148 which has relied upon Judgments of the Supreme Court in *NC Daga v. Inder Mohan Singh Rana*; (2003) 1 SCC 453 and *Vinod Kumar Verma v. Manmohan Verma*; Civil Appeal Nos. 5220-5221 dated 19.08.2008. 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*; 2024 SCC OnLine Del 5228, *Neelam Sharma v. Ekant Rekhan*; 2019 SCC Online Del 6487, and *Bhawani Shankar v Nand Lal and Ors.*; 2021 SCC OnLine Del 4284.

8. 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.

9. The Petition is accordingly disposed of.

10. 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](#)