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

+ **RC.REV. 108/2024 & CM APPL. 22688/2024**

VIJAY JAIN

.....Petitioner

Through: Mr. Punit Jain and Mr. Anand P. Jain,
Advocates.

versus

BABU LAL JAIN (D) THR. LRS

.....Respondent

Through: Mr. Anil Sharma, Mr. Aman
Bhardwaj and Mr. Arpit Sharma,
Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

20.01.2025

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1. Learned Counsel for the parties submit that the possession of the subject premises has already been taken over by the Respondent/landlord in accordance with law.
2. Learned Counsel for the Respondent/landlord, 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. 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*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453



Kumar Verma v. Manmohan Verma³. 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 view of the foregoing, learned Counsel for the Petitioner/tenant seeks and is granted permission to withdraw the present Petition.

5. The present Petition is accordingly dismissed as withdrawn. Pending Application stands closed.

TARA VITASTA GANJU, J

JANUARY 20, 2025/pa

[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