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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **RC.REV. 254/2023, CM APPL. 47912/2023 & CM APPL.**  
**17705/2024**

AMIT JAIN ORS

.....Petitioners

Through: Mr. Jai Sahai Endlaw & Ms.  
Shambhavi Kala, Advocates with P-3  
in person.

versus

SHANTA PATHAK

.....Respondent

Through: Ms. Shruti Choudhri, Advocate.

**CORAM:**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

**30.01.2025**

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1. The Petitioner No.3 is physically present in Court today.
2. Learned Counsel for the parties submit that the possession of the subject premises has been handed over to the Respondent through execution proceedings.
3. Learned Counsel for the Respondent, thus, submits that since the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition have become infructuous.
4. In this regard, reliance is placed upon the judgment passed by this Court in *Ashok Gupta v. Deepak Rao*<sup>1</sup>, which has relied upon the Judgments of the Supreme Court in *NC Daga v. Inder Mohan Singh Rana*<sup>2</sup>

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<sup>1</sup> 2024 SCC OnLine Del 7148

<sup>2</sup> (2003) 1 SCC 453



and *Vinod Kumar Verma v. Manmohan Verma*<sup>3</sup>. 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*<sup>4</sup>, *Neelam Sharma v. Ekant Rekhan*<sup>5</sup>, and *Bhawani Shankar v Nand Lal and Ors.*<sup>6</sup>.

5. In addition, it is contended that the Petitioners are adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

6. Learned Counsel for the Petitioners, on instructions, seeks and is granted permission to withdraw the present Petition.

7. The Petition is dismissed as withdrawn. All pending Applications stand closed.

**TARA VITASTA GANJU, J**

**JANUARY 30, 2025/ ha**

*Click here to check corrigendum, if any*

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<sup>3</sup> Civil Appeal Nos. 5220-5221 of 2008 dated 19.08.2008

<sup>4</sup> 2024 SCC OnLine Del 5228

<sup>5</sup> 2019 SCC Online Del 6487

<sup>6</sup> 2021 SCC OnLine Del 4284