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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 259/2023 & CM Appl.49084/2023**
MANZUR HUSSAINPetitioner
Through: Mr. Alamine, Adv.

versus

BALWINDER KAURRespondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
31.01.2025

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1. Learned Counsel for the Petitioner, on instructions from the Petitioner, submits that the possession of the subject premises has been handed over to the Respondent.
2. Learned Counsel for the Petitioner, 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. This Court has in *Ashok Gupta v. Deepak Rao*¹, while relying upon the Judgments of the Supreme Court in *NC Daga v. Inder Mohan Singh Rana*² and *Vinod Kumar Verma v. Manmohan Verma*³ has held that once the possession of the subject premises has been restored, nothing further survives in the present Petition and the Petition becomes infructuous. This Court is supported in its view by judgments passed by Coordinate Benches of this Court including *Om Prakash Ashok Kumar & Sons v. Ajay*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



Khurana⁴, Neelam Sharma v. Ekant Rekhan⁵, and Bhawani Shankar v Nand Lal and Ors.⁶

4. In addition, the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.
5. In view of the foregoing, learned Counsel for the Petitioner seeks and is granted permission to withdraw the present Petition.
6. The present Petition is accordingly dismissed as withdrawn. Pending Application stands 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