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

+ **RC.REV. 244/2022**

SHRI ASHOK KUMAR JAIN

.....Petitioner

Through: Mr. Imran Khan, Adv. with Petitioner
in-person

versus

RAJ KUMAR GUPTA

.....Respondent

Through: Ms. Shalini Kapoor, Adv.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

17.01.2025

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1. This Court had on 07.01.2025 recorded the submissions of the learned Counsel for the Respondent that the Respondent/landlord has recovered the possession of the subject premises in accordance with law through execution proceedings.

1.1 It was contended that since, the possession of the subject premises has been restored, the present Petition has become infructuous. Reliance in this regard was placed by the learned Counsel for the Respondents 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

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



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

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

3. Learned Counsel appearing on behalf of the Petitioners/tenants, on instructions, submits that the matter can be disposed of in terms of the foregoing judgments. The present Petition is accordingly disposed of.

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

TARA VITASTA GANJU, J

JANUARY 17, 2025/jn

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