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

+ **RC.REV. 272/2023 & CM APPL. 51372/2023**

SMT. PUSHPA KASANA

.....Petitioner

Through: None

versus

SHRI MAYANK ATRIYA

.....Respondent

Through: Mr. Raj Kumar, Mr. Ashok, Ms. Sangita Chauhan and Ms. Shivangi Singh, Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

12.03.2025

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1. Neither the Petitioner nor his Counsel is present in Court today. There was no presence on the last date of hearing as well.
2. On the last date of hearing, this Court had passed the following directions:

“2. Learned Counsel for the Respondent submits that the possession of the subject premises has already been taken by the Respondent through Execution proceedings on 25.02.2025.

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 has become infructuous.

4. 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 the 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 of 2008 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.

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

3. Accordingly, the Petition is dismissed in default and for non-prosecution. Pending Application shall stand closed.

TARA VITASTA GANJU, J

MARCH 12, 2025/pa

Click here to check corrigendum, if any