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

+ **RC.REV. 350/2023, CM APPL. 6347/2023**

NASEEMA BEGUM & ANR.

.....Petitioners

Through: None.

versus

FEHMIDA NIGAR AND ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

31.01.2025

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1. This Court had on 28.01.2025 recorded the submissions of the learned Counsel for the Respondents that the Respondents/landlords have recovered the possession of the subject premises in accordance with law through execution proceedings.

1.1 It was contended on that day 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 of this Court including *Om Prakash Ashok*

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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



Kumar & Sons v. Ajay Khurana⁴, Neelam Sharma v. Ekant Rekhan⁵, 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. None appears on behalf of the parties. There was no presence on behalf of the Petitioners on the last date of hearing i.e., 28.01.2025, as well.

4. The present Petition is accordingly dismissed in default and for non-prosecution. Pending Application stands closed.

TARA VITASTA GANJU, J

JANUARY 31, 2025

g.joshi

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