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

+ **RC.REV. 230/2024, CM APPL. 49363/2024, CM APPL. 49364/2024**

GOPAL AHUJA

.....Petitioner

Through: Mr. Anil Kumar Verma, Ms. Ashu Rani, Mr. Dharmender Singh, Adv.

versus

K K VERMA (DECEASED THROUGH HIS LEGAL HEIRS)

.....Respondent

Through: Ms. Diksha Goswami, Adv. with Mr. Ravi Verma, LR of Respondent

+ **RC.REV. 232/2024, CM APPL. 49554/2024, CM APPL. 49555/2024**

SUBHASH ARORA (DECEASED) THROUGH HIS LEGAL HEIRS

.....Petitioner

Through: Mr. Anil Kumar Verma, Ms. Ashu Rani, Mr. Dharmender Singh, Adv.

versus

K.K. VERMA (DECEASED) THROUGH HIS LEGAL HEIRS

.....Respondent

Through: Ms. Diksha Goswami, Adv. with Mr. Ravi Verma, LR of Respondent

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

16.01.2025

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1. Learned Counsel for the Respondent/landlord submits that the possession of the subject premises has already been taken by the Respondent/landlord through execution.



2. Learned Counsel for the Respondent/landlord, thus, submits that since the possession of the subject premises has been restored, nothing further survives in the present Petitions and the Petitions have become infructuous.
3. In this regard, reliance is placed 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 Kumar & Sons v. Ajay Khurana*⁴, *Neelam Sharma v. Ekant Rekhan*⁵, and *Bhawani Shankar v Nand Lal and Ors.*⁶.
4. In addition, it is contended that the Petitioners are adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.
5. Learned Counsel for the Petitioners/tenants seeks and is granted permission to withdraw the present Petition.
6. The present Petitions are accordingly dismissed as withdrawn. Pending applications stand closed.

TARA VITASTA GANJU, J

JANUARY 16, 2025/jn

[Click here to check corrigendum, if any](#)

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453

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

⁴ 2024 SCC OnLine Del 5228

⁵ 2019 SCC Online Del 6487

⁶ 2021 SCC OnLine Del 4284