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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 255/2024 & CM Appl.54264/2024**

PAWAN KUMARPetitioner

Through: Ms. Rekha Aggarwal, Adv.

versus

RAJIV KUMAR AGGARWALRespondent

Through: Mr. Manish Makhija and Mr. Umang Jain, Adv. with Respondent in person.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **17.02.2025**

1. On the last date of hearing, the Petitioner sought time to take instructions on this aspect of the matter. The Court had directed the parties to remain present before the Court on the next date of hearing.

1.1 The Respondent is physically present before the Court today, however, the Petitioner is not present today.

2. Learned Counsel for the Respondent once again reiterates his contention that the possession of the subject premises has already been taken by the Respondent through execution proceedings. He 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. He seeks to rely 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***

¹ 2024 SCC OnLine Del 7148

² (2003) 1 SCC 453



v. Manmohan Verma³.

4. In addition, it is contended by learned Counsel for the Respondent that the Petitioner is adequately protected in terms of Section 19(1) of the Delhi Rent Control Act, 1958.

5. In view of the foregoing, and relying on the judgment in the **Ashok Gupta** case, the present Petition has become infructuous and is accordingly disposed of. The Pending Application also stands closed.

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

TARA VITASTA GANJU, J

FEBRUARY 17, 2025/r

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

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