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

+ **RC.REV. 273/2025 & CM APPL. 55954/2025, 64903/2025**

SURINDER VERMA

.....Petitioner

Through: Mr. Akash Verma, Advocate
alongwith Petitioner in person.

versus

SURESH KUMAR GUPTA

.....Respondent

Through: Mr. Nihit Nagpal, Ms. Livya P. Lalu,
Ms. Bindra Rana and Mr. Vikrant
Rana, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

06.01.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 25-B(8) of the Rent Control Act as amended up to date read with Section 115 of the CPC seeks following prayers:-

“1. Set aside and quash the impugned order dated **09.04.2025** passed by the Learned Additional Rent Controller-01, Central District, Tis Hazari Courts, Delhi. in **RC ARC No. 267/2023**, whereby the Revisionist's application seeking Leave to Defend under Section 258(5) of the Delhi Rent Control Act, 1958 was erroneously dismissed and an eviction order was passed;

2. Allow the Revisionist's application for Leave to Defend under Section 258(5) of the Delhi Rent Control Act, 1958 and direct the Learned Trial Court to proceed with the eviction petition in accordance with law by permitting the parties to lead evidence on all disputed facts and contentions;

3. Pass such further or other order(s), direction(s), or relief(s) as this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the present case, in the interest of justice.”



3. *Vide* order dated 02.12.2025, the petitioner had undertaken to vacate and handover the peaceful and physical possession of the subject property to the respondent on or before 04.01.2026.
4. An affidavit dated 20.12.2025 to the aforesaid effect has also been filed by the petitioner. Learned counsel appearing on behalf of the respondent confirms that the subject property has been vacated on 04.01.2026.
5. In view of the above, learned counsel appearing on behalf of the petitioner, on instructions from the latter, who is present in Court today, seeks leave to withdraw the present petition.
6. Leave granted.
7. The present petition is dismissed as withdrawn and disposed of accordingly.
8. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 06, 2026/sn/sg