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

+ **RC.REV. 311/2025 & CM APPL. 63770/2025**

MOHD AKRAM

.....Petitioner

Through: Mr. Anis Ahmad Khan, Advocate.
versus

NAFISA BEGUM

.....Respondent

Through: Ms.Suvaiba Zaheen, Advocate
(through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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15.01.2026

1. This hearing has been done through hybrid mode.
2. The present petition under Section 25-B(8) of the Delhi Rent Control Act, 1958, seeks following prayers:-

“It is, therefore, prayed that in the interest of justice, original record of the learned trial court may be called for and the impugned Order dated 28.02.2025 passed by the court of Sh. Bharat Aggarwal Administrative Civil Judge cum Additional Rent Controller Central District Tis Hazari court, Delhi in RC ARC No1.586/2023 CNR No.DLCT-3-004808-2023 titled as Nafisa Begum Vs. Mohd. Akram be set-aside and quashed and the abovesaid revision petition be accepted with costs throughout.

Any other relief which this Hon'ble court deems fit and proper in the circumstances of the case be also allowed in favour of the petitioner and against the respondent.”

3. The present petition has been by the petitioner/tenant assailing the order dated 28.02.2025 passed by learned ARC in RC ARC 586/2023, in eviction petition filed by the respondent/landlord under proviso (e) to Section 14(1) of



the DRCA wherein, application seeking leave to defend of the petitioner was dismissed and he was found liable to be evicted from the demised premises.

4. In pursuance of the notice issued to the respondent *vide* order dated 10.10.2025, learned counsel has entered appearance on behalf of the respondent.

5. On a pointed query from the learned counsel for the petitioner, it is submitted that the possession of the demised premises has been handed over to the respondent/landlord on 22.11.2025. Learned counsel for the respondent appearing through video conference has confirmed the same.

6. The Hon'ble Supreme Court in **N.C. Daga v. Inder Mohan Singh Rana, (2003) 1 SCC 453**, had observed and held as under: -

“6. In view of the admitted position that pursuant to the order passed by the Rent Controller, possession has been taken on execution of the order permitting eviction, and absence of specific stand regarding implied consent it is, however, not necessary to go into the finer details and to examine the rival stand in the background of legal position as it would amount to rendering decision on a purely academic question. The appeal is, therefore, dismissed, without any order as to costs.”

7. In **Vinod Kumar Verma v. Manmohan Verma & Anr.**, in Civil Appeal Nos. 5220-5221/2008, following order was passed by the Hon'ble Supreme Court on **19.08.2008**: -

“Leave granted.

At the time of hearing of these appeals, the learned counsel appearing on behalf of the landlord-respondent submits, on instructions, that the possession of the premises in question has already been taken over by the landlord-respondent. That being the position, these appeals have now become infructuous, which have been filed against the final judgment and order dt.25.02.2008 and



28.03.2008 passed by the High Court of Delhi at New Delhi in RCR No.49 of 2007 and C.M.No.119 of 2008 (Review) in RCR No.49 of 2007, by which the Revision Petition filed by the tenant/appellant was dismissed and order of eviction was affirmed. Since the possession has already been taken over by the landlord-respondent, in our view nothing survives in these appeals and accordingly, the appeals are disposed of as infructuous.

Interim order, if any, stands vacated.

There will be no order as to costs.”

8. Learned Coordinate Bench, while placing reliance on the aforesaid judgments of Hon’ble Supreme Court, in **Ashok Gupta & Anr. v. Deepak Rao, 2024 SCC OnLine Del 7148**, had observed and held as under: -

“18. The Eviction Petition was filed by the Respondent/landlord under Section 14(1)(e) of the Delhi Rent Control Act, 1958 setting out the requirement to open his law offices. The proceeding was contested by the Petitioner/tenant and an Eviction Order was passed by the learned Trial Court. Pursuant thereto, the Respondent/landlord recovered possession of the demised premises in accordance with law. As such the Revision Petition has been filed challenging the order of the learned Trial Court which has now gained fruition and was executed and has already been implemented through execution proceedings. In these circumstances, the Revision Petition has become infructuous.

19. As stated above, the jurisdiction of this Court exercising revisionary powers is limited and circumspect. The Petitioner/tenant did not initiate civil proceedings for recovery of possession, instead the present Revision Petition was filed. The Petitioner/tenant has not contended that Section 19 of the Delhi Rent Control Act, 1958 has been violated. Relying on the judgment of the Supreme Court in the NC Daga case and *Vinod Kumar Verma case*, this Court finds that this Petition has become infructuous and is accordingly dismissed.”

9. In view of the fact that the possession of the demised premises in terms of order dated 28.02.2025 has already been handed over to the



respondent/landlord, and the aforesaid observations of the Hon'ble Supreme Court as well as view taken by learned Coordinate Bench, the present petition has become infructuous and the same is disposed of accordingly.

10. Pending applications, if any, also stand disposed of accordingly.

11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

JANUARY 15, 2026/sn/ns