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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 204/2023, CM APPL. 37576/2023, CM APPL. 46769/2024, CM APPL. 46770/2024, CM APPL. 33662/2025, CM APPL. 34641/2025 & CM APPL. 34642/2025

ANIL KUMARPetitioner
Through: Mr. M.K. Gahlout, Advocate
(Through VC)

versus

SMT PUSHPA DEVI (DECEASED) THROUGH LRSRespondent
Through: Mr. Avijit Sharma, Advocate
(Through VC)

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
08.10.2025

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1. Learned counsel for the parties submit that peaceful and vacant possession of the subject premises has already been handed over by the petitioner to respondent on 13.08.2025.
2. In view thereof, as held in the judgment of the Hon'ble Supreme Court in *N.C. Daga vs. Inder Mohan Singh Rana* [2003(1) SCC 453] and *Vinod Kumar Verma vs. Manmohan Verma & Anr.* [Civil Appeal Nos.5220-5221 of 2008, order dated 19.08.2008], the present petition has become infructuous as there is nothing surviving therein.
3. However, learned counsel for the petitioner/ tenant, appearing through video conferencing submits, that the statutory right of a tenant to



maintain a revision petition under *Section 25B* of the Delhi Rent Control Act, 1958, cannot be exhausted even if the possession is handed over during the pendency thereof. *Prima facie*, this Court is not agreeable with the aforesaid submission made by the learned counsel for the petitioner/tenant, since the present Revision Petition *per se* sought setting aside of the impugned order, i.e. handing over of the possession of the subject premises. And as the vacant and peaceful possession of the subject premises has already been handed over, nothing survives therein.

4. Learned counsel for the petitioner/tenant disagreeing with the aforesaid still wishes to make submissions.

5. Accordingly, renotify on 18.02.2026.

SAURABH BANERJEE, J

OCTOBER 8, 2025/NA