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

+ W.P.(C) 3574/2012

MADHVI GUPTA

..... Petitioner

Through: Mr Nakul Sachdeva & Ms Bhavita
Modi, Advs.

versus

GOVT. OF NCT AND ORS

..... Respondents

Through: Mr Mohammad Shariq, Adv. for R-1 - 3.
Mr Rajat Joseph, Adv. for R-4.
Mr Dinesh Garg & Ms Rachna Agrawal, Advs. for
R-5.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.05.2015**

1. Report of the registry is that counter affidavit of respondent no. 1 to 3 has been returned under office objections. Learned counsel for respondent no. 1 to 3 has, however, handed over to me a copy of the counter affidavit filed on behalf of the said respondents. The same is taken on record. The registry will, however, place the original on record.

2. It is the stand of respondent no. 1 to 3 that the Tehsildar was directed to carry out the investigation with regard to the valuation of the property. The Tehsildar, has reported, that the, value of the property is more than the circle rate. As per the report of the Tehsildar the valuation of the property, as per the circle rate, is Rs. 51,65,850/-, whereas the value of the subject property as disclosed in the document, of which registration is sought, is a sum of Rs. 1.20 crores.

3. On the other hand, learned counsel for the petitioner has drawn my

attention to the pleadings filed by respondent no.4 herein, in the suit for specific performance filed by the petitioner herein. The said suit is filed in this court, and is numbered as: CS(OS) No. 3318/2011. The written statement filed in the said suit by respondent no.4 herein, seems to disclose that consideration in excess of Rs. 1.20 crores was received by respondent no.4 from respondent no.5 qua the subject property. The said assertion is made in paragraph 34 of the written statement.

4. In these circumstances, learned counsel for the petitioner says that he will be satisfied if the said information is taken into account by respondent no.1 to 3 and appropriate steps, are taken, as mandated in law.

5. It is directed accordingly. Respondent no.1 to 3 will examine the matter in view of the information contained in the written statement of respondent no.4, which is on record. Before taking a decision in the matter, respondent no. 1 to 3 will call upon the petitioner as well as respondent no. 4 and 5. The needful will be done as expeditiously, as possible, though not later than eight weeks from today.

6. The petition is disposed of in the aforementioned terms.

7. Dasti.

RAJIV SHAKDHER, J

MAY 14, 2015

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