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

+ LPA 402/2017 and CM APPL. 20024/2017

MANOHARI RAMAN ..... Appellant

Through: Mr Satish Rana, Adv.

versus

THE VICE-CHAIRMAN, DDA & ORS ..... Respondents

Through: Mr Sanjoy Ghose, ASC (Civil) and  
Ms Pratishtha Vij and Mr Rhishabh Jetley, Advs.  
for GNCTD

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**HON'BLE MS. JUSTICE DEEPA SHARMA**

**ORDER**

% **24.05.2017**

The appellant has preferred the present Letters Patent Appeal to assail the order dated 27.03.2017 passed by the learned Single Judge dismissing the petitioner's (appellant herein) writ petition, i.e., W.P.(C) No.2803/2017. The writ petition had been preferred to seek the initiation of an enquiry as to how Conveyance Deed dated 13.09.2013 had been executed in respect of flat bearing No. 16-B, DDA Flats (Janta), Chilla Village, Delhi, by respondent No.3, Shri Brijesh Kumar, Assistant Director (H), Janta in favour of respondent No.13- Shri Saurabh @ Sonu.

A perusal of the impugned order shows that there are conflicting claims by the appellant and the respondent No.3 in respect of the same flat. Whereas the appellant claims to be the allottee/owner

of the said flat, respondent No. 13 claims ownership of the flat premised on the Conveyance Deed. Already, a civil suit for permanent injunction is pending in respect of the suit property before the learned ACJ, Karkardooma Courts, Delhi. Criminal proceeding is also pending under Section 156(3) Cr.P.C.

In these circumstances, the learned Single Judge has held that writ petition could not be entertained, as there were disputed questions of facts arising in the matter which were already under enquiry in the aforesaid two proceedings.

We do not find any infirmity in the impugned order. It is open to the appellant to take appropriate civil/criminal proceedings in case he has any grievance.

**VIPIN SANGHI, J**

**DEEPA SHARMA, J**

**MAY 24, 2017**

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