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

+ RFA 845/2017 and C.M. Nos.36061/2017 (stay), 36062-63/2017 (exemption) & 36064/2017(for condonation of delay)

SACHDEV LOHIA

..... Appellant

Through: Mr. Sudhanshu Batra, Senior
Advocate with Mr. Arvind Kumar
Gupta, Advocate, Mr. Vipin K. Saini,
Advocate with appellant in person.

versus

PREMA BHANDARI & ORS

..... Respondents

Through: Mr. Vineet Jhanji, Advocate with Mr.
Imran Moulaey, Advocate.

+ RFA 846/2017 and C.M. Nos.36098/2017 (stay), 36099/2017, 36100/2017 (exemption) & 36101/2017 (condonation of delay)

SACHDEV LOHIA

..... Appellant

Through: Mr. Sudhanshu Batra, Senior
Advocate with Mr. Arvind Kumar
Gupta, Advocate, Mr. Vipin K. Saini,
Advocate with appellant in person.

versus

PREMA BHANDARI

..... Respondent

Through: Mr. Vineet Jhanji, Advocate with Mr.
Imran Moulaey, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

RFA Nos.845/2017 & 846/2017

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ORDER
09.10.2017

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1. After arguments, these appeals are prayed for being disposed of as not pressed. Effectively therefore the impugned judgment passed by the court below dated 27.2.2017 will become final.

2. In view of the fact that the appeals are not pressed and this Court is not invited to pass a judgment, I am not issuing certain directions which I was *prima facie* inclined to issue as against the appellant, however, one direction definitely needs to be issued in this case to the concerned sub-registrar of Kashmiri Gate, Delhi and which sub-registrar has registered on 8.10.2002 the two documents being the General Power of Attorney and the Will stated to have been executed by the deceased Sh.D.R. Sondhi in favour of the appellant Sh. Sachdev Lohia. These documents registered by the sub-registrar of Kashmiri Gate, Delhi are part and parcel of a stated transaction of agreement to sell and purchase with respect to the property which is situated in village Chattarpur, District Mehrauli, New Delhi. The jurisdiction with respect to such documents of a property at Mehrauli is however of the sub-registrar at Mehrauli, New Delhi.

3. Therefore, it is necessary that a court notice be issued and is

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accordingly issued to the Government of NCT of Delhi (GNCTD) as also the concerned sub-registrar who registered the documents being the General Power of Attorney and the Will on 8.10.2002 through the GNCTD (as this Court does not know the name of the concerned sub-registrar and as to whether he continues to be posted at Kashmiri Gate or where he is posted). GNCTD on being served of the Court notice which will be issued by the Registry of this Court without process fee, will file an affidavit as to whether there is jurisdiction of the sub-registrar at Kashmiri Gate to register documents pertaining to a property at Mehrauli, New Delhi. The concerned sub-registrar will also in his affidavit, after his service through GNCTD, file an affidavit with respect to why and in what circumstances the aforesaid documents were registered at his office at Kashmiri Gate although the property is situated at village Chattarpur at Mehrauli.

4. In case, this Court is not satisfied with the affidavits filed on behalf of GNCTD, and in fact more importantly the concerned sub-registrar of Kashmiri Gate at the relevant point of time, this Court *prima facie* proposes to direct the GNCTD to take all necessary steps as required by civil law provisions, criminal law provisions and service law provisions for any

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action which should be initiated in the facts of the present case.

5. A copy of the impugned judgment dated 27.2.2017 be sent by the Registry of this Court alongwith Court notices which are issued, both to the GNCTD and the concerned sub-registrar through the GNCTD. Court notices be issued by the Delhi High Court Process Serving Agency and the Registry will ensure that Court notices are positively served on the GNCTD and the concerned sub-Registrar through the GNCTD, returnable on 23rd November, 2017.

Valmiki J. Mehta
VALMIKI J. MEHTA, J

OCTOBER 09, 2017

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— Notice served to GNCTD
— Notice served to Sub. Registrar
GNCTD

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— Clarification/Affidavit reg. filed by
GNCTD Delhi till date

— Appeal disposed of vide above
order