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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 161/2017 & C.M. No. 5811/2017 (Stay)

SARDAR ACHHAR SINGH THR ITS LRS

..... Appellant

Through: Mr. Samant Singh, Mr. Davinder
Grover Advocates

versus

JAGDISH CHAND

..... Respondent

Through: Ms. Gita Dhingra, Mr. Randhir Singh,
Advocate

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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18.08.2017

Counsel appearing on behalf of the appellant has filed the fresh additional affidavit, as directed vide order dated 31.07.2017.

The present appeal has been filed by the appellant against the judgment and decree dated 04.11.2016 passed by the learned Additional District Judge-13 (Central), Tis Hazari Courts, Delhi thereby directing the defendant/respondent, his legal heirs, agents, official to deliver to the plaintiff the original sale deed dated 25.05.1993 executed by Ms. Asha Menon, the then Sub Judge, Delhi for Bawa Jagjit Singh son of Bachitar Singh resident of Bawa Properties, Village Kishan Garg, Mehrauli, New Delhi in favour of Sh. Kishan Singh son of Gopal Singh resident of 2527/2, Nalwa Street, Chuna Mandi, Paharganj, New Delhi vide document No.4224,

Addl. Book No. I, Volume No.7928 at paged 26 to 31 on 25.05.1993 and registered on 01.06.1993. By the impugned judgment and decree, the defendant was restrained from selling, mortgaging or creating any third party interest in respect of suit property bearing no. 2527/21, Nalwa Street, Chuna Mandi, Paharganj, New Delhi on the basis of sale deed dated 25.05.1993.

During the pendency of the appeal, the appellant has filed additional affidavit stating therein that neither the appellant nor the legal heirs have ever used the sale deed dated 25.05.1993 in any of the transaction till date before handing over the original sale documents and shall not use the same in any future transaction in respect of the suit property.

In view of the aforesaid, the claim of the parties is satisfied, therefore the appeal filed by the appellant is disposed of.

P.S.TEJI, J

AUGUST 18, 2017

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