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

Judgment pronounced on: 21.2.2018

+ W.P.(C) 1658/2018 & CM No.6824-25/2018

NASIMA KHATOON Petitioner

Through : Ms. Richa Singh, Advocate

versus

THE STATE & ANR Respondents

Through : Mr. Jawahar Raja, Advocate for
R1 and R2.

CORAM:-

HON'BLE MR. JUSTICE RAJIV SHAKDHER

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RAJIV SHAKDHER, J. (ORAL)

1. This is a writ petition, whereby, challenge is laid to order dated 28.11.2017, passed by the SDM, Seelampur.
2. Record shows that ICICI Lombard has obtained the impugned attachment order. The attachment order is directed against the son of the petitioner. The petitioner, who is the mother, claims to be the owner of the subject property. The ownership claim is based on a General Power of Attorney. According to the petitioner, the said Power of Attorney is registered.
3. A perusal of the Power of Attorney shows that it is executed in favour of the petitioner only to manage, sell, mortgage etcetera, the

subject property. There is no reference to any consideration in the Power of Attorney.

4. The claim of the petitioner that she has title and is the owner of the property, *prima facie*, is not made out.

5. Writ Petition is, accordingly, dismissed.

6. The petitioner, however, will have liberty to take recourse to appropriate remedies to establish her title and ownership, albeit, in accordance with law.

7. Consequently, all pending applications are closed.

RAJIV SHAKDHER, J

FEBRUARY 21, 2018

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