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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.APP.(C) 7/2016 & CM No.40852/2016

BAL CHAND

..... Appellant

Through: Mr. N.S. Dalal, Advocate

versus

MANOJ

..... Respondent

Through: Mr. Rajat Aneja & Ms. Nisha
Sharma, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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09.05.2018

After some hearing, learned counsel for the appellant, states that he would withdraw the present appeal and abide by and accept the directions and the order dated 20.9.2016. Learned counsel for the appellant states that this statement is being made to show respect to the orders of the Court. However, he submits that the appellant has a good case in Test Case No.29/2005 and the statement made to withdraw the appeal should not be misinterpreted.

Learned counsel for the respondent states that he would have no objection to withdrawal of the appeal, but he would not accept the appellant's assertion on merits of the case.

Recording the statement of learned counsel for the parties, the appeal is dismissed as withdrawn, as we are not required to comment and examine merits of the case of parties in Test Case No.29/2005.

The appellant would ensure that there is full compliance of the order dated 20.9.2016, for learned counsel for the respondent has stated that the appellant has filed objections before the Sub-Registrar, Faridabad, Haryana, with regard to cancellation of the Sale Deed dated 11.6.2012 in respect of the land ad measuring 6 kanals 5 marla situated in village Kanwara, Tehsil and District, Faridabad and also mutation effected by the Tehsildar, Faridabad on 13.7.2012 at Sl. No.1357, Jamambandi No.62 in favour of Pradeep Singh, Dharmender and Satinder.

Learned counsel for the appellant states that no such objections have been filed and the Sale Deed and mutation may be cancelled. We also take this statement made by learned counsel for the appellant on record.

The Sub-Registrar will immediately cancel the Sale Deed dated 11.6.2012 and the Tehsildar, Faridabad will cancel and recall the order of mutation, effected on 13.7.2012. A copy of the order passed by the Sub-Registrar and Tehsildar will be sent by speed post to the Court in Test Case No.29/2005 within a period of one month from the date a copy of this order is received by them.

Copy of this order would be sent by the Registry by post to the Sub-Registrar, Faridabad and Tehsildar, Faridabad

Learned counsel for the appellant states that the appellant will deposit Rs.1,00,000/- with the Delhi High Court Social and Security Welfare Fund in two equal instalments- first instalment will be paid by 15.6.2018 and the second instalment will be paid by 15.7.2018, irrespective of summer vacations. We would accept this prayer.

However, compliance and payment must be made.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

MAY 09, 2018

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