

\$~77

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

+ **W.P.(C) 9963/2018**

JAIDEV CHAUHAN

..... Petitioner

Through Mr.Sidharath Kapoor, Adv. With
Ms.Anita Arora, Adv.

versus

THE STATE N.C.T. OF DELHI AND ORS. Respondents

Through Mr.Rishikesh Kumar, ASC with
Mr.Prem Sagar Pal & Mr.Vikas Saini,
Adv.
SI Vijay Kumar PS Prashant Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **25.09.2018**

CM No.38791/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

WP(C) No.9963/2018 & CM No.38790/2018

3. The petitioner has filed the present petition, *inter alia*, being aggrieved by the notice issued by respondent no.6 calling the petitioner for certain inquiries. This Court has perused the case file and it is evident that a complaint was made against the petitioner by respondent no.7. There is no dispute that petitioner and respondent no.7 had entered into an agreement whereby the petitioner had agreed to sell the property bearing No.33/50, Sector-3, Rohini, Delhi-110085 to respondent no.7. The said transaction was entered into on 28.10.2017 and the petitioner had accepted the a sum of Rs.1,00,000.00 out of the total sale consideration of Rs.1,21,50,000/-.

Respondent no.7 paid a further sum of Rs.11 lacs on 30.10.2017. The receipt of the said amount was duly acknowledged by the petitioner.

4. Petitioner alleges that respondent no.7 failed to complete the transaction and did not pay the balance consideration of the said property within the stipulated time. The petitioner thereafter caused to serve a legal notice on respondent No.7 calling upon him to execute the Sale Deed in terms of the Agreement to Sell dated 30.10.2017. The date for execution of the Sale Deed was extended from time to time.

5. It is stated that, thereafter, the Petitioner sent another notice dated 05.03.2018 forfeiting the earnest money furnished by respondent no.7.

6. It is the case of respondent no.7 that he was unable to pay the balance money as the petitioner has been unable to present documents of ownership of the property in question.

7. As is apparent from the above this appears to be is a civil dispute and the Police Authorities have little role to pay. Nonetheless this Court is refraining from interfering in the process as the inquiries are inconclusive. However, it is directed that the respondent No.6 will complete the inquiry within two working days from today.

8. The petitioner shall appear in the concerned Police Station at 4:30 pm today. It is clarified that all rights of the petitioner and respondent no.7 are reserved.

9. The petition is disposed of in the above terms. Pending application, if any, is also disposed of.

VIBHU BAKHRU, J

SEPTEMBER 25, 2018/ab