

\$~27

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

+ W.P.(C) 13167/2018 and CM APPL. 51117/2018

ARUN KUMAR AGGARWAL & ANR Petitioners
Through: Mr Parvinder Chauhan, Advocate.

versus

SUB-REGISTRAR (VI-B) BDO COMPLEX, ALIPUR
DELHI Respondent
Through: Mr Naushad Ahmed Khan, ASC,
Civil, GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **13.12.2018**

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

- “(a) Issue a writ, order or direction in the nature of certiorari thereby calling forth the records of the Respondent in respect of the sale deeds presented for registration vide receipt Nos. 7625 and 7634 both dated 02.12.2015 & Receipt No. 8468 dated 28.12.2015;
- (b) After perusal of the records so called forth, issue a writ, order or direction in the nature a mandamus thereby directing the Respondent to register and release the sale deeds presented for registration vide receipt Nos. 7625 and 7634 both dated 02.12.2015 & Receipt No. 8468 dated 28.12.2015.”

2. The petitioners state that in December 2015, the petitioners had executed separate sale deeds in respect of certain immovable property and had lodged the same for registration.

3. The petitioners have also placed on record, the registration receipts No. 7635 and 7634 dated 02.12.2015 and registration receipt No. 8468 dated 28.12.2015. The petitioner's state that they have been pursuing with the registering authorities for obtaining the registered sale deeds, however, has not received any intimation from them. They state that initially the petitioners were assured that the sale deeds would be registered but subsequently, the registering authorities have also failed to give any response.
4. Clearly, the registering authorities are required to either register the deeds or to decline registration. It is not open for the registering authorities to do neither.
5. Mr Naushad Ahmed Khan, learned counsel appearing for the respondents states that by the letter dated 17.09.2018, the Sub-Registrar, VI-B, Narela had sent a refusal letter declining to register the sale deeds.
6. Mr Mahajan, learned counsel appearing for the petitioners state that refusal of the letter has not been communicated to the petitioners.
7. In view of the above, the respondents are directed to communicate the same to the learned counsel appearing for the petitioners as expeditiously as possible and in any event within a period of one week from today. Needless to state that if the petitioners are aggrieved by the same, the petitioners are at liberty to avail of all remedies as available in law.
8. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.

VIBHU BAKHRU, J

DECEMBER 13, 2018/RK