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

+ W.P.(C) 6562/2019

**QUTAB BUILDWELL PVT LTD** ..... Petitioner

Through Mr. S.K. Agarwal and Ms. Vibha  
Sharma, Advs.

versus

**GOVT OF NCT OF DELHI & ORS.** ..... Respondents

Through Mr. Rishikesh Kumar and Mr.  
Premsagar Pal, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

% **31.05.2019**

**CM Appln. No.27736/2019**

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

**WP(C) No.6562/2019 & CM Appln. No.27735/2019**

3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent Nos.1 and 2 to register a Sale Deed in respect of two tracts of land measuring 5.52 acres and 0.5833 acres respectively, located in the Revenue Estate of village Pindwala Kalan, Tehsil Palam, New Delhi (hereafter 'the Sale Deed'). The petitioner states that the Sale Deed was presented for registration on 21.03.2013 and a receipt No.3805 dated 21.03.2013 was issued. However, the Sale Deed could not be registered as there was an order passed by respondent No.3 (Sub-Divisional Magistrate) restraining registration for the same. The said order was vacated on 08.06.2016. However, the Sale Deed has not been registered

as yet. The petitioner states that in the meanwhile, the Sale Deed in respect of the same property, being Sale Deed dated 09.12.2016, was presented and registered by respondent Nos.1 and 2. The petitioner contends that the same is *void ab initio* and prays that directions be issued to the respondents to cancel the same.

4. Insofar as prayer for seeking cancellation of the Sale Deed dated 09.12.2016 is concerned, it would not be apposite for this Court to examine this controversy in the present petition. If the petitioner is aggrieved by any document which is registered, it is open for the petitioner to institute an appropriate action for the cancellation of the said document.

5. Insofar as the petitioner's prayer for the registration of the Sale Deed dated 21.03.2013 is concerned, it is pointed out that respondent Nos.1 and 2 have not rendered any decision in respect of the same as yet. Plainly, respondent No. 2 (Sub Registrar –IX) cannot continue to withhold the said document indefinitely.

6. In view of the above, respondent No.2 is directed to either register the said document or pass an order declining the same, *inter alia*, stating its reasons for doing so. Let the same be done within a period of six weeks, from today.

7. The petition is disposed of in the aforesaid terms. The pending application also stands disposed of.

5. Order *dasti* under the signatures of the Court Master.

**VIBHU BAKHRU, J**

**MAY 31, 2019/DR**