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

+ **W.P.(C) 9860/2018**

MRS. JAYA CHAKARVARTY

..... Petitioner

Through: Mr. Vaibhav Vats and Mr. J.K. Hoon,
Advocates.

versus

**THE OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES AND ORS.**

..... Respondents

Through: Mr. Jawahar Raja, ASC, GNCTD for
RCS.
Mr. Kabir S. Ghosh, Advocate for R-3.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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17.09.2019

1. Despite service there has been no representation on behalf of the Respondent No.3 i.e. the SBI New Delhi Staff Co-operative Housing Society Ltd. ('Society') in the present case.

2. It is seen that vide order dated 28th May 2019 this Court noted the fact that the Petitioner had been delivered possession of the flat in question.

3. The only remaining prayer of the Petitioner is that the original title deeds pertaining to the flat in question should be returned.

4. Counsel for the Petitioner refers to the letter dated 27th December 2013 written by the State Bank of India (SBI) which reads as under:

“Shri Shri Pankaj L Chakravarty
C-516,
Chittaranjan Park .
New Delhi-110019

Dear Sir

**ISSUANCE OF TITLE DEEDS AND ALL OTHER
RELEVANT DOCUMENT OF No. 10, 10A, IMARTI
BLOCK, GANGA RAM VATIKA, TILAK NAGAR –
110018**

Please refer to our earlier communication dated 24.12.2013, wherein we had requested you to provide us the' housing loan account number as well as approximate date of sanction of housing loan from the branch. We have still not received any reply- in this regard.

However, we are happy to advise that we have located the title deeds claimed by you on perusal of the title-deeds, it has been observed that the said title deeds were deposited by the society 'State Bank of India, New Delhi Staff Co-operative Housing Society. Ltd' and, therefore, the bank is bound to return the title deeds only to the society.

Assuring you our best services.”

5. It is thus seen that the SBI Branch at Sansad Marg acknowledges having the original title deeds of the flat in question but has taken the stand that it will return the said title deeds only to Respondent No.2 Society.

6. As already noted hereinbefore Respondent No.2 Society has not appeared despite the notices issued to it. Counsel for the Petitioner states that Respondent No.2 Society is not in existence. The Petitioner informed the

SBI on 28th January 2015 that he had been unable to locate the address of the Society or its whereabouts.

7. In fact, the office report of the agency said that the notice has returned unanswered and the remark is 'at present there is no office of SBI Staff Cooperative Housing Society in the premises of SBI, Parliament Street.'

8. In that view of the matter, the Court directs that the SBI Sansad Marg, New Delhi branch will hand over the title deeds of the property in question to the Petitioner upon proper identification on the strength of the present order. Additionally a certified copy of this order be delivered forthwith to the Branch Manager, State Bank of India at Sansad Marg, New Delhi by a Special Messenger for compliance.

9. The petition is disposed of.

S. MURALIDHAR, J.

TALWANT SINGH, J.

SEPTEMBER 17, 2019tr/pa