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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12793/2018**

MRS. MADHU DUA Petitioner

Through: Counsel (appearance not given).
versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Ms Sukriti Ghai, Advocate for R-1,
2 & 3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **30.04.2019**

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

“a) issue a writ in the nature of Mandamus directing the Respondents to issue registration certificate in respect to the Sale Deed dated 18/10/2001 in respect to the Basement Floor, of Property No. M-46A, measuring 100 Sq. yards. Situated at Malviya Nagar, New Delhi-110017 and release the registered Sale Deed to the Petitioner in the facts and circumstances of the present case in the interest of justice,”

2. The petitioner is of an advanced age. She had purchased the property – Basement Floor of Property No. M-46A measuring 100 square yards located in Malviya Nagar, New Delhi-110017 – from one Sh. Faquir Chand. The sale deed in her favour was presented for registration on 18.10.2001. Her grievance is that the said registered sale deed was not returned.

3. The learned counsel appearing for the respondents has handed over the counter affidavit, which indicates that once the pendency of the registration was brought to the notice of respondent no.3, the search for the instrument, that is, the sale deed in question was undertaken and the

same was located. However, there are certain cuttings on the last page and, therefore, it was not clear whether the sale deed was registered or was pending for registration. However, on perusal of the “Peshi Register”, it was ascertained that the registration of the said document is still pending.

4. It is stated on behalf of respondent no.3 (Sub-Registrar V, Kalkaji) that since considerable time has elapsed, attempts are being made to regularise the registration of the said document but there are two issues regarding the same. First, that the work of registration is now computer based and all details are generated online. Second, that the property in question does not fall within the jurisdiction of the office of Sub-Registrar V, Kalkaji as the same has been shifted to the office of Sub-Registrar V(A) which is located at Tehsil Building, Mehrauli.

5. It is apparent from the above that there is a serious lapse on the part of the respondents in not registering the sale deed and returning the same to the petitioner. It is necessary for respondents to now regularise the sale.

6. In view of the above, respondent no. 3 is directed to transmit the document by special messenger to the concerned Sub-Registrar [Sub-Registrar V(A)]. The said Registrar shall, on strength of this order, upload all the necessary details on the software and the Original sale deed duly registered shall be returned to the petitioner within a period of eight weeks from today.

7. The petition is disposed of with the aforesaid terms.

VIBHU BAKHRU, J

APRIL 30, 2019/RK