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

% *Decided on: 10.05.2023*

+ **EFA(OS) 6/2023, CM APPL. 23487/2023 & CM APPL. 23488/2023**

NIRMALA MODI

..... Appellant

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Parveen Bhati and Mr.
Himanshu Gupta, Advocates.

versus

BDR BUILDER DEVELOPERS PVT LTD & ANR.

Respondents

Through: Mr. Akhil Sachar, Mr. Sanjay
Bansal, Ms. Sunanda Tulsyan and
Mr. Sangram Singh, Advocates for
Mr. Dinesh Gupta, Director of R-1.
Mr. Harsh Sethi, Mr. Anant Nigam
and Mr. Nitin Bajaj, Advocates for
Mr. Rajesh Gupta, Director of R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

NAJMI WAZIRI, J (ORAL)

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. The learned counsel representing Mr. Dinesh Gupta, Director of BDR Builder & Developers Pvt. Ltd. states, upon instructions,

that: i) Mr. Dinesh Gupta would cooperate in the implementation of the directions passed by the learned Single Judge on 10.04.2023 and ii) The General Power of Attorney (GPA) and Will executed in his favour would be deemed to be *non est* and would be treated as redundant after the transfer of property in the names of R-1 and R-2. The originals of the GPA and Will are in the custody of Mr. Rajesh Gupta, Director of the BDR Buildtech P. Ltd.

2. The court is assured by the learned counsel for Mr. Rajesh Gupta that the said documents have not been and will not be used for creating any third party rights.
3. The issue of safekeeping of the said documents till the registration of the Sale Deed is raised by Dinesh Gupta. It is agreed between them that the same is to be deposited with a third person. At their request, Ms. Zeb Hasan, Advocate (Enrolment No. D/4073/2020 and Mob. No. 8707731221) is appointed as Local Commissioner to keep the original documents till such time that the sale deed is registered, whereupon the aforesaid documents will be cancelled by Mr. Dinesh Gupta across each sheet and handed back to the appellant. The said documents shall be handed-over to the Local Commissioner by 12th May, 2023 for safekeeping. The Local Commissioner's fees is fixed at Rs. 60,000/- which shall be shared equally by R-1 & R-2.
4. The learned counsel for the parties submit that there remains no reservations whatsoever, in compliance of the directions as per

the aforesaid consent order passed by the learned Single Judge.
The parties agree that they will appear before the Sub-Registrar for effecting the Sale Deed on 18.05.2023 at 11:00 am.

5. The aforesaid order has been passed with the consent of the parties.
6. The appeal, along with pending applications, is disposed-off in terms of the above.

MAY 10, 2023
RW

NAJMI WAZIRI, J

SUDHIR KUMAR JAIN, J