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

+ **FAO(OS) 233/2019 & CM APPL. 50199/2019**

MADHU SHARMA & ORS

.....Appellant

Through: Mr. Sandeep Sharma, Mr. Aman
Dhyani, Ms. Kanchan Semwal, Mr.
Ankit, Advs.

versus

RANJANA JOSHI

.....Respondent

Through: Mr. Sudhir Sharma with Ms. Shivani
Srivastava, Advs.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **03.07.2024**

1. After some arguments, Mr. Sharma, learned counsel for the appellant wishes to withdraw the present appeal. He, however, states that the appellant would urge, before the learned Single Judge, that as there was a prior sale in June, 1988 executed by Mr. Swaran Singh in favour of the appellant, the subsequent registered sale deed dated 23rd February, 2009 has no relevance and is of no consequence.
2. Learned counsel for the respondent, who appears on advance notice, states that the alleged agreement to sell dated June, 1988 is *non-est* in the eyes of law and Mr. Swaran Singh had no authority to transfer the title or execute an agreement to sell.
3. Needless to state that the aforesaid contentions have to be argued by the parties before the learned Single Judge at the appropriate stage.



4. Recording the aforesaid statements, the present appeal is dismissed.
The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 3, 2024

N.Khanna