



2024:DHC:1221



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

% Judgment delivered on: 15.02.2024

+ W.P.(C) 14831/2023

MAHESH AGGARWAL Petitioner

versus

GOVERNMENT OF NCT OF DELHI AND ANR

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Smita Maan, Mr. Vishal Maan, Mr. Aditya Singh and Mr. Kartik Dabas, Advocates

For the Respondent : Ms. Arani Mukherjee, Ms. Nancy Shah and Ms. Haridas Medha Dilip, for Mr. Prashant Manchanda, ASC for R-1 & 2.

CORAM:**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]****CM APPL. 9322/2024**

1. This is an application seeking early hearing of the writ petition.
2. For the reasons stated in the application, early hearing is allowed.
3. The matter is taken up for hearing today.
4. The application stands disposed of.

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5. This is a writ petition under Article 226 of the Constitution of India, 1950, *inter alia* seeking the following reliefs:-

“(a) Issue writ of mandamus directing the respondents No. 2 to register the sale deeds in regard to subject properties (as mentioned in para no.8 of the present Writ Petition) comprised in plot/building no. 6, khasra no. 84/2 min, situated in extended abadi lal dora of village Chandan Hula, New Delhi in accordance with law.”

6. Learned counsel appearing for the petitioner submits that the petitioner had entered into the sale deed with some private person in June, 2021. However, when the petitioner sought to get the same registered, the competent authority, i.e, the Sub-Registrar of Mehrauli – respondent no.2 had refused to even take the said documents for further process. Learned counsel submits that despite having visited the Sub-Registrar’s office number of times, the office simply refused to even entertain the petitioner.

7. The petitioner submits that due to the aforesaid reason, the petitioner was constrained to file the present writ petition seeking the aforesaid reliefs.

8. Ms. Arani Mukherjee, learned counsel appears for respondent no.2 Sub-Registrar (V-A) and submits that a short affidavit on behalf of the said authority has already been filed.

9. The same is on record.

10. Ms. Mukherjee submits that the Sub Registrar has asserted in the said affidavit that the petitioner has never presented any Sale Deed on 16.10.2023 in the office and also had denied there was any refusal by



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the office of the Sub-Registrar from accepting said documents and keeping it under scrutiny and process.

11. This Court has heard the arguments of learned counsel for the parties.

12. Without entering into the dispute as to whether the petitioner had approached the Sub-Registrar and whether there was any refusal on the part of the office of the Sub-Registrar, in view of the categorical submission of the Sub-Registrar, namely respondent no.2, this Court directs the petitioner to present himself alongwith all the necessary original documents before the Sub-Registrar's office on 19.02.2024 at 11:00 AM.

13. The office of the Sub-Registrar is directed not to refuse and to accept the said documents and to conduct the same through the process required in accordance with law.

14. With the aforesaid, the petition is disposed of.

15. Date already fixed, i.e., 30.07.2024 stands cancelled.

TUSHAR RAO GEDELA, J

FEBRUARY 15, 2024

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