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

+ **W.P.(C) 16328/2023**

JASMOHAN SINGH

.....Petitioner

Through: Mr. Saurabh Gupta, Advocate.

versus

SUB REGISTRAR V 1

.....Respondent

Through: Mr. Santosh Kumar Tripathi, SC
(Civil) with Mr. Kartik Sharma and
Mr. Rishabh Srivastava, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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11.07.2024

1. The Petitioner has secured an arbitral award dated 18th August, 2023, which decides the property dispute between the parties in terms of an oral family settlement entered into in the year 1985. The Petitioner contends that since the award only records a past oral family settlement and does not create any new rights, the same need not be compulsorily registered under Section 17(1) of the Registration Act, 1908¹.
2. The Petitioner has submitted a representation dated 14th December, 2023 to the Respondent stating their intention to voluntarily register the arbitral award in terms of Section 17(2)(v) of the Act, as an option. To this effect, Petitioner states that they shall make payment of fixed fee of INR 1,000/- as per Clause 1(b) of Notification No. F1

¹ "the Act"



(36)/Regn.Br./HQ/Div.Com/2010/353 dated 1st July, 2010. Through the said representation, placing reliance on several judgments of the Supreme Court, the Petitioner also seeks exemption from payment of *ad-valorem* stamp duty and registration charges for registration of the award. However, no decision has been taken by the Respondent.

3. Despite opportunities, the Respondents have not filed any counter affidavit. In the opinion of the Court, the matter is unnecessarily getting delayed.

4. In view of the above circumstances, the Respondents are directed to pass a speaking order on Petitioner's representation dated 14th December, 2023, within a period of one month from today.

5. In case the decision is rendered against the Petitioner, they shall be at liberty to take recourse to appropriate remedies in accordance with law.

6. With the above directions, petition is disposed of.

SANJEEV NARULA, J

JULY 11, 2024

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