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

+ W.P.(C) 7456/2024

CHANDEEP SINGH SAWHNEYPetitioner

Through: Mr. P. S. Bindra, Sr. Adv. and Mr.
Harikirat Singh, Adv.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Mr. Jeevesh Nagrath, Sr. Adv., Mr.
Abhishek Singh, Mr. J. Amal Anand,
Mr. Elvin Joshy, Mr. Utkarsh Sahu,
Mr. K.V. Vibhu Prasad, Ms. Nitya,
Advts. along with Mr. Arjun Gaur, R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **02.07.2025**

1. The petitioner in the present petition claims to be the lawful owner of agricultural land admeasuring 18 *Bighas* 16 *Biswas*, comprising in Khasra Nos.1732/2(1- 12), 1732/3(0-16),1732/1 (2-8), 1737(4-16), 1733/1/1(0- 13), 1733/1/2(0-15), 1570(3-18)& 1571(3-18) alongwith constructed portion therein, one old well, a borewell and the entire agricultural land bounded by a boundary wall of height around 6 Fts. with two iron gates situated in the revenue estate of village Chattarpur, Farm No.4, Mulberry Avenue, DLF Chattarpur Farm, New Delhi-110074. (hereinafter referred as “*subject property*”).

2. The present petition has been filed on the basis that the petitioner is the lawful owner of the subject property by way of being the only surviving legal heir to the previous owner i.e. Sh. Jagjit Singh Sawhney (decd.).



3. The chain of events on the basis of which the petitioner claims title over the subject property is as under –

- i. One Sh. Surinder Singh Ahuja came to acquire title over the subject property by way of separate registered sale deeds including registered sale deed/s dated 11.02.1974, 16.01.1972, 13.02.1974 and 25.02.1974.
- ii. Thereafter, two registered sale deeds including registered sale deed/s dated 04.02.1987 and 24.02.1987 came to be executed by Sh. Surinder Singh Ahuja, with respect to title over the subject property, in favour of one partnership firm namely M/s. Shabnam comprising of two partners i.e. Sh. Jagjit Singh Sawhney (acquired 80% undivided share in subject property) and Sh. Balraj Singh Sandhu (acquired 20% undivided share in the subject property).
- iii. On 13.04.1987, pursuant to the death of Sh. Jagjit Singh Sawhney, his 80% share in the subject property devolved upon the petitioner and Smt. Narinder Kaur (wife of Sh. Jagjit Singh Sawhney).
- iv. Thereafter, on 02.03.2001, pursuant to the death of Sh. Narinder Kaur, the entire 80% undivided share in the subject property devolved upon the petitioner herein while the remaining 20% share in the subject property continued to subsist with the other partner in M/s. Shabnam i.e. Sh. Balraj Singh Sandhu.

4. The present petition proceeds on the allegation that there are two forged and fabricated sale deeds dated 24.11.1978 and 12.12.1978 in favour of the respondent no.2.

5. Consequently, the present petition has been filed seeking the following reliefs:



“A. Issue a writ of mandamus or any other appropriate writ, direction, or order to inquire as to how and under what circumstances documents /copies of said two forged and fabricated sale deeds dated 24.11.1978 and another dated 12.12.1978 got pasted in an unauthorized and illegal manner in the records of Department of Archives, Delhi.

B. To initiate the Inquiry against the Respondent no 3/ Sub Registrar III and other persons who may be found involved in the aforesaid illegal act.

C. To declare the Pasting of documents/ two forged and fabricated sale deeds dated 24.11.1978 and another dated 12.12.1978 pertaining to Farm No.4,Mulberry Avenue, DLF Chattarpur Farm, NewDelhi-1 10074 as Nonest and void and consequently direct the Respondent No 1, 3 and 4 to remove the fabricated sale deeds from the their records and from website of Respondent no 4.”

6. During the course of hearing, it transpires that in civil suit i.e. CS (OS) 661/2023 pending before this Court, the issue as to the rival title of the petitioner and the respondent no.2 over the subject property as also the aspect regarding the validity / forgery / fabrication of the sale deed is pending adjudication. It is not disputed by respective counsel that the concerned civil court is seized of the matter.

7. Needless to say, respective parties would be entitled to make their submissions in the said civil suit.

8. Learned counsel for the petitioner also draws attention to an order dated 24.04.2025 issued by the Deputy Director, Archives. The said order reads as under:

“F.No. DA/20/2025-Records-472

Dated 24/04/2025

ORDER

Sh. Sewajit, Record Attendant is hereby directed to not to issue certified copies and also not allow inspection of below mentioned documents under Registration Act, 1908 and RTI Act as the matter is sub-judice:-



i) Document No.4681, Volume No. 4027 (AB-I), Page No. 48 to 53, Dated 25.11.1978 of Sub-Registrar-III

ii) Document No.4897, Volume No. 4034 (AB-I), Page No.118 to 122, Dated 12.12.1978 of Sub-Registrar-III.

This issues with the approval of Secretary (ACL).

*(Sanjay Kumar Garg)
Deputy Director (Archives)”*

9. In view of the aforesaid order, there would be no occasion for issuing of any certified copies and / or allowing inspection of the aforementioned documents referred to in the order passed by the Deputy Director, Archives. As such, the apprehension of the petitioner that any certified copies of the title document in favour of the respondent no.2 would be issued by the concerned department stands allayed in view of the aforesaid order passed by the Deputy Director, Archives.

10. In the circumstances, learned senior counsel for the petitioner does not seek to press the other surviving prayers in the present writ petition at this stage. He, however, reserves the right to re-agitate this prayer depending upon the outcome of the aforementioned civil suit.

11. Learned senior counsel for the respondent no.2 also reserves the right to assail the aforesaid order dated 24.04.2025 passed by the Deputy Director, Archives in accordance with law.

12. Needless to say, all rights of the respondent no.2 in this regard are reserved.

13. In view of the above, the present petition is disposed of taking on record the aforesaid order dated 24.04.2025, passed by the Deputy Director, Archives.

14. Needless to say, the respective rights and contentions of the parties in



the pending civil suit [CS(OS) 661/2023] are reserved and kept open for consideration by the concerned civil court.

15. The petition is disposed of in the above terms.

SACHIN DATTA, J

JULY 2, 2025/cl