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

+ W.P.(C) 1057/2024 and CM APPL.4426/2024

ANJANA RAJPUT

.....Petitioner

Through: Mr. Mahipal Singh Rajput, Mr.
Yogendra Tripathi, Advs.

versus

GOVERNMENT OF NCT OF DELHI THROUGH SECRETARY
MINISTRY OF REVENUE & ANR.

.....Respondents

Through: Mr. Tushar Sannu (Panel Counsel)
along with Mr. Praveen Bansal, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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08.12.2025

1. The present petition has been filed by the petitioner being aggrieved by an order dated 20.09.2023 passed by the Registrar V(I) District South East, Lajpat Nagar, New Delhi-110024 in Case No. 614/2023 titled 'Anjana Rajput vs. Sub Registrar V(I), Defence Colony', thereby imposing penalty ten times of the registration fee, and order dated 28.12.2022 passed by Sub - Registrar V(I) District South East, Lajpat Nagar, New Delhi-110024, thereby refusing to register the Court order/ decree dated 27.04.2022 passed by Ld. Link ADJ, District South East, New Delhi in respect of the subject matter of the suit on the ground of delay in presenting the court decree/ order before the Registrar.
2. By way of the said order, the concerned Registrar took the view that there was a delay in presentation of the Court order/ decree dated 27.04.2022, for the purpose of its registration. It was noted that the decree was presented for registration on 27.12.2022, whereas the Court decree itself was issued on 27.04.2022.



3. In the aftermath of the aforesaid orders, an application came to be filed by the petitioner before the concerned Civil Court, whereupon an order dated 09.04.2025 came to be passed which, *inter alia* records as under:-

*“16. When the parties to a suit settle the dispute by way of a Compromise in writing, either the suit is allowed to be withdrawn under Order XXIII Rule 1 CPC, or a consent Decree under Order XXIII Rule 3 CPC, is passed. In the present case, it was prayed in the joint application that the statement of plaintiff and defendant no.2 pursuant to Compromise between them, may be recorded before the Court and that an appropriate Order may be passed. Thus, it was a fit case for passing of a consent Decree. If the consent Decree had been passed, such Decree was not required to be registered by virtue of Section 17(2)(vi) of the Registration Act, 1908 and such a Decree would have been a valid document of title of the plaintiff with respect to the suit property. However, as said earlier, no consent Decree was passed. But separate statements of plaintiff and defendant no.2 were recorded and the Compromise dated 26.03.2022 was exhibited as **Ex. S1**. The very purpose of recording the statements of parties towards the Compromise is to make the parties bound by their statements and by the terms recorded in the Compromise”.*

4. The aforesaid Civil Court has categorically held that the decree in question is not required to be registered in view of Section 17(2)(vi) of the Registration Act, 1908. As such, the very foundation of the impugned order dated 20.09.2023 passed by the Registrar, collapses. The order dated 09.04.2025 passed by the Civil Court clearly records that the decree is not subject to compulsory registration under Section 17(2)(vi) of the Registration Act, 1908.

5. Learned counsel for the petitioner submits that, since the decree is only optionally registerable, the petitioner seeks its registration under Section 18(f) of the Registration Act, 1908. It is further submitted that the petitioner has already deposited the requisite stamp duty and registration charges for this purpose.

6. In the circumstances, given the above factual conspectus, the petition is disposed of with a direction to the Respondent No.2/ concerned Sub-



Registrar to consider the petitioner's request for registration of the concerned decree under Section 18(f) of the Registration Act, 1908. In case the said request is not acceded to, let a reasoned order be passed by the respondents under intimation to the petitioner.

7. The petition, alongwith pending application/s, stands disposed of in the above terms.

SACHIN DATTA, J

DECEMBER 8, 2025/uk