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

+ W.P.(C) 12918/2025, CM APPL. 52803/2025

SMT SANGEETA PUROHIT

.....Petitioner

Through: Mr. Ayush Yadav, Mr. Kundan
Kumar, Advs. along with Petitioner-
In Person

versus

UNION OF INDIA THROUGH SECRETARY MINISTRY OF
HOUSING AND URBAN AFFAIRS & ORS.

.....Respondent

Through: Mr. Premtosh K. Mishra (CGSC)
along with Mr. Shivam Sachdeva
(GP) and Mr. Sarthak Anand, Mr.
Prarabdh Tiwari, Advs.

Ms. Prabhsahay Kaur, Mr. Aditya
Verma, Advs.

Mr. H.S. Phoolka (Sr. Adv) along
with Mr. Bir Inder Singh Gurm, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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27.08.2025

1. The present petition has been filed by the petitioner, who is ostensibly the holder of a duly executed 'Special Power of Attorney' (SPA) in respect of the property bearing No. 11, Amrita Shergil Marg, New Delhi-110003 (Old No. 43, Block-1, Ratendon Road).
2. It was averred in the petition that the said Special Power of Attorney has been executed in her favour by Sh. Sameer Chauhan, son of Shri Late Jalaluddin, who is stated to be the legal heir of the original allottee of the property in question i.e. late Sh. Tufail Ahmed Khan.
3. A perusal of the Special Power of Attorney reveals that the same contains several blanks in respect of certain particulars.



4. Be that as it may, the present petition has been considered on merits.

5. The relief sought in the present petition is in the following terms:-

“i. Issue a writ of mandamus directing Respondent No.2 (Land & Development Office) to conduct a time-bound inquiry (within 4-6 weeks) into the fraudulent substitution effected through alleged forged documents and Submit a detailed inquiry report to this Hon’ble Court forthwith upon completion.

ii. Grant an interim direction restraining Respondents 3-5, their agents and privies from alienating, transferring, encumbering or creating any third-party interest in Property No.11, Amrita Shergil Marg, New Delhi-110003, pending the inquiry in L&DO and until further orders of this Hon’ble Court.

iii. Pass such further or other orders as this Hon’ble Court deems fit in the interest of justice”.

6. This matter was heard at some length on the previous date of hearing, i.e. on 25.08.2025, whereupon the learned counsel for the L&DO sought some time to peruse the relevant records and place on record the correct position as regards the property in question. Based on the records available with the L&DO, a written note has been furnished by learned counsel for the L&DO setting out the following factual position as regards the aforesaid property:-

“2. It is submitted that as per the records available with the Respondent No. 2, the following chain of ownership and substitution is subsisting with respect to the subject property:

2.1. The property, measuring 1.06 acres, was originally leased to Shri Tufail Ahmed Khan vide the perpetual lease deed 23.12.1939 by the Governor General in Council, registered 16.02.1940 (the “Original Allottee”) Council, registered 16.02.1940 (the “Original Allottee”).

2.2. The Original Allottee sold the subject Property vide a sale deed dated 13.02.1948 in favour of Smt. Kamla Devi, which was registered on 25.02.1948.

2.3. Smt. Kamla Devi further sold the subject Property vide a sale deed dated 20.06.1949 in favor of Smt. Harnam Kaur, that registered on 15.07.1949.

2.4. Subsequently, a supplementary lease deed dated 13.04.1964 was executed by the office of the Respondent No.1-2 in favor of Smt.



Harnam Kaur, which was registered on 24.07.1964.

2.5. Upon, the demise of Smt. Harnam Kaur, the said Property was substituted in favor of Shri. Patwant Singh and Smt. Rasil Basu in equal proportions vide letter dated 10.07.1967, based on her will dated 30.12.1963, which was duly probated by order of Civil Judge dated 01.04.1965.

2.6. Subsequent, upon the demise of Smt. Rasil Basu, her 50% share in the subject Property was substituted in favor of her daughters; Smt. Amrita Basu and Smt. Rekha Borsellino Basu, vide substitution letter dated 25.08.2021, based on her registered will dated 09.05.2014.

2.7. Upon the demise of Shri Patwant Singh, his 50% share was substituted in favor of his wife, Smt. Meher Wilshaw, vide letter dated 31.08.2021 based on his will.”

7. It is the stand of the learned counsel for the L&DO, that there is no ambiguity regarding the chain of succession pertaining to the property, as reflected in the records of the L&DO and as such there is no requirement for the L&DO to conduct a detailed enquiry.

8. In the circumstances, in view of the categorical stand taken by L&DO to the effect that there is no ambiguity as regards the status/change of succession in respect of the property, prayer no. 1 as canvassed in the present petition cannot be acceded to. Also, in the light of the unambiguous stand of the L&DO, it would also not be appropriate to pass any injunctive orders against the respondent nos. 3 to 5 (i.e. the persons whose names currently stands substituted), restraining them from transferring, encumbering or creating any third-party interest with regard to property in question.

9. Needless to say, if the petitioner wishes to raise a title dispute in respect of the property in question, the petitioner shall be at liberty to avail appropriate civil remedies, if available under law.

10. The petition is accordingly disposed of in the above terms. The



pending application also stands disposed of.

AUGUST 27, 2025/uk

SACHIN DATTA, J