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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1821/2023 & CM APPL. 6968/2023**

VIRENDRA SAHLOT

..... Petitioner

Through: Mr. Samrat Nigam and Mr. Satya
Sabharwal, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Ms. Manika Tripathy, Standing
Counsel for DDA (M-9811831835).
Mr. Avishkar Singhvi, Mr. Naved
Ahmed & Mr. Vivek Kumar, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **13.02.2023**

1. This hearing has been done through hybrid mode.

CM APPL. 6968/2023 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(C) 1821/2023

3. The present petition has been filed by the Petitioner - Virendra Sahlot seeking issuance of directions for a court monitored investigation into the process adopted in conversion of the property i.e. B- 21, Westend Colony, New Delhi (hereinafter '*property*') from lease hold to free hold and in the process for registration of the said property vide sale deed dated 2nd February, 2022.

4. It is the case of the Petitioner that the property has been converted from leasehold to freehold and the sale deed for the same dated 2nd February 2022 has also been registered.

5. It is further submitted that the same is contrary to orders passed in

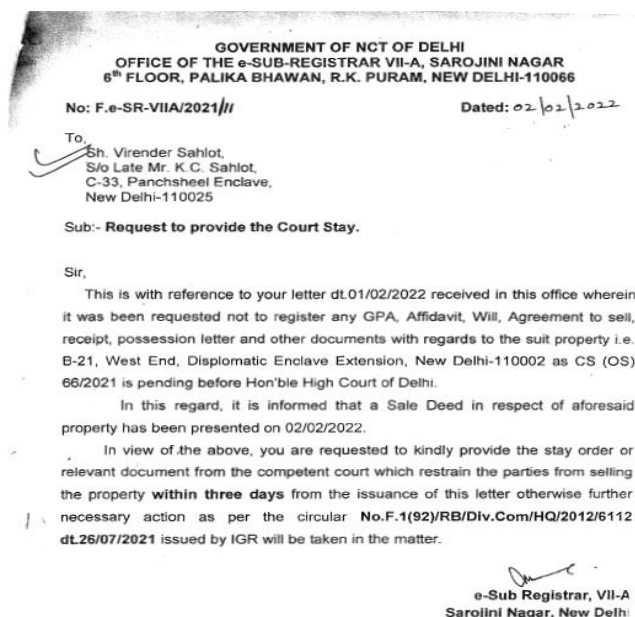


CS(OS) 1455/2005 titled '**Virender Sahlot v. Gurvir Inder Singh & Anr.**'

6. The Petitioner has made serious allegations against the public authorities i.e. Respondent No. 1-Delhi Development Authority (*hereinafter* 'DDA') and Respondent No.2-Sub-Registrar VII-A (*hereinafter* 'Sub Registrar')

7. Considering that there is a civil suit pending in respect of this property, the Petitioner would have to implead the affected parties, before this Court can pass any orders in this regard. In any event, let a copy of this petition be served upon the Id. Counsel for the DDA.

8. From the documents on record, it is seen that a notice dated 31st January, 2022 was issued by the Petitioner, upon the Sub-Registrar not to register any GPA, affidavit, will, agreement to sell, receipt, possession letter etc. and other documents relating to this property in view of the suit pending before this Court in **CS(OS) 66/2021** titled '**Mr.Virendra Sahlot v. Ms. Priti Suri & Ors.**'. However, the Sub-Registrar in his letter dated 2nd February, 2022 replied as under:





9. Clearly, the Sub-Registrar had received the letter dated 31st January 2022 on 1st February, 2022 written by the Petitioner and ought to have sought clarifications if the same were required. The Sub-Registrar, on the contrary, registered a sale deed in respect of this very property on 2nd February, 2022, even after receiving the notice.

10. A perusal of the orders passed in suit no. **CS(OS) 1455/2005** would show that vide order passed on 10th December, 2020, the Defendants in the said suit had undertaken to this Court that no third party interest would be created in the subject property. The relevant portion of the said Order reads as –

“...2. Mr. Swaroop Chand Rana, learned Advocate for the defendants, states that till the pendency of the suit, the defendants shall not create any third party interest in the property being B-21, Westend Diplomatic Enclave Extension New Delhi to the extent of the defendants’ share in the property. The statement is taken on record.”

Clearly, the Sub-Registrar who had received the notice ought to have enquired further before creating further third party rights in the property by registering a sale deed.

11. Let the concerned Sub-Registrar file a specific affidavit as to the circumstances leading to the registration of these documents. All concerned parties shall also be impleaded.

12. List before the Registrar on 24th March, 2023.

13. List before the Court on 29th May, 2023.

PRATHIBA M. SINGH, J.

FEBRUARY 13, 2023

Rahul/rp