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IN THE HIGH COURT OF DELHI AT NEW DELHI

RFA 167/2010

YASHVIR SINGH

..... Appellant

Through
versus

None

RAMPHAL TYAGI

..... Respondent

Through

Mr. Nalin Tripathi, Adv.

Mr. Bhagwan Das, Record Keeper
from the office of Sub-Registrar, Basai
Darapur

CORAM:

MANOJ JAIN, REGISTRAR GENERAL

ORDER

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15.02.2022

(Hearing has been conducted through video conferencing)

1. One report bearing File No.SR-II/BDP/Misc./2022/1261 dated 18.01.2022 issued by e-Sub Registrar-II, Basai Dara Pur, New Delhi has been filed. As per the report, there are four registered documents i.e. (i) Sale Deed, (ii) Two General Power of Attorney and (iii) Deed of Trust which relate to Property No.WZ-505, land area measuring 500 sq. yds. Approx part of Khasra No.698, situated in the area of Village Basai Darapur, New Delhi-110015. Copies of documents have also been sent alongwith the report.

2. The details of the aforesaid four registered documents i.e. sale deed, Two GPA and Deed of Trust have been shared with the counsel for the respondent during the course of the consideration of the matter. Learned counsel for the respondent has stated that the security which is being presently tendered by Ms. Geeta Tyagi is having area of 296.66 sq.yd at the ground floor and one room on the second floor admeasuring 28.69 sq. yd. situated on



the said property of Village Basai Darapur, New Delhi-110015. He submits that there are other areas on the ground floor as well as on the upper floors and as far as the present surety of Ms. Geeta Tyagi is concerned, she is tendering collateral property with respect to her ground floor portion admeasuring 296.66 sq.yds. as well as one room on the second floor admeasuring 28.69 sq. yds. He has also claimed that the other three registered documents placed on record by the Office of Sub-Registrar, Basai Darapur have no connection or bearing with respect to the aforesaid share of Ms. Geeta Tyagi.

3. As far as GPA registered vide registration No.10223, additional book no.4, Vol. No.12607, pages 188 to 190 on 05.11.2009 on 05.11.2009 with Sub Registrar,-II, Janakpuri, Delhi is concerned, it is in respect of first floor rear portion. As regards GPA registered vide registration No. 10224, additional book no. 4, Vol. No.12607, pages 191 to 193 on 05.11.2009 with Sub Registrar-II, Janakpur, Delhi, though it is executed in favour of Mr. Manoj Tyagi in respect of ground floor, such portion of ground floor seems to be separate from the portion being submitted as surety by Ms. Geeta Tyagi. This is also clear from the site plan forwarded by Executive Magistrate/Tehsildar, Patel Nagar, New Delhi. As regards Deed of Trust registered vide registration No. 12572, Book No.4, Vol. No. 12278, Page Nos.89 to 95 on 22.08.2008 with Sub Registrar,-II, Janakpuri, Delhi, it also does not seems to infringe with the right, title or interest with respect to the portion owned by Ms. Geeta Tyagi as this deed is relatable to the portion situated on rear side of first floor.

4. Be that as it may, respondent is directed to file fresh affidavit clearly specifying and clarifying the aforesaid aspect. Simultaneously, Ms. Geeta Tyagi would also furnish coloured photographs of the property, particularly



depicting her portion situated at ground floor as well as printout showing geolocation with coordinates. It be also clearly specified in the affidavit of Ms. Geeta Tyagi that the property in question is free from all sorts of encumbrances/charge; there is no loan taken either from government or non government department; no agreement for sell; mortgage, receipt, earnest money, charge, lease or exchange deed is entered with any third party with respect to aforesaid property; no case is pending with respect to said property in any court of law or before any authority.

5. At request of learned counsel for the respondent, the matter would now be taken up on 28.02.2022.

6. Learned counsel for the respondent states that on the next date he would call Ms. Geeta Tyagi/surety, Mr. Ramphal Tyagi, respondent and Mr. Manoj Tyagi for the purpose of recording of their statements. Let original documents be also brought on that date.

(MANOJ JAIN)
REGISTRAR GENERAL

FEBRUARY 15, 2022
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