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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1541/2019**

S P SINGH CHANDEL

..... Petitioner

Through: Mr. Sourabh Leenha and Mr. Ashish
Bansal, Advocates (M: 9312232954).

versus

SHARMILA TOKAS

..... Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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23.10.2019

CM APPL. 46650/2019 (exemption).

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

CM(M) 1541/2019 and CM APPL. 46649/2019

2. The grievance of the Petitioner is that the Trial Court has not considered the fact that the key of the first floor was, in fact, lying deposited with the Registrar General and no demolition could have taken place under these circumstances. The decree, having not been challenged by the Judgment Debtor, the Court could not have directed that the sale deed requires to be challenged by the Petitioner herein.

3. The stand of the Respondent - Sharmila Tokas is that she had purchased the property prior to the decree being passed on 17th October, 2012 from Mr. Uttam Singh Thapa, against whom the decree was passed.

4. Considering the nature of the allegations, it is directed that *status quo* be maintained as to title and possession of the suit property bearing No. D-100, Katwaria Sarai, New Delhi-110016. Compliance of Order XXXIX Rule



3 CPC be done within a week.

Notice be issued to the Respondent.

List on 20th February, 2020. *Dasti*.

PRATHIBA M. SINGH, J.

OCTOBER 23, 2019
MR