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

+ **W.P.(C) 10762/2019**

M/S SULABH IMPEX LIMITED

.....Petitioner

Through: Mr. Shreesh Chadha, Mr. Aman Singh Bakhshi, Mr. Divjot Singh Bhatia, Mr. Shaurya Agarwal and Mr. Faiz, Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Anubhav Gupta, Panel Counsel (Civil), GNCTD for R-1 & 2.
Ms. Ekta Mehta and Mr. Zainab Khan, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **29.04.2026**

1. The present petition concerns three documents stated to have been presented for registration before the office of Respondent No. 2 under Receipt Nos. 15364, 15365 and 15366. The Petitioner, *inter alia*, seeks quashing of the communication dated 05th July, 2019 rejecting its request for registration, and a direction to the Respondents to register the subject sale deeds and accord recognition to its rights in respect of the property.
2. The impugned communication proceeds on the basis that the request for registration could not be acceded to, *inter alia*, in the absence of the original documents and on account of the position reflected in the records of the registering authority. The Petitioner disputes the correctness of the said position and contends that the rejection fails to account for the



circumstances in which the documents were originally presented and subsequently became untraceable.

3. The Petitioner relies upon a communication dated 23rd May 2006 issued from the office of the Sub-Registrar-V, Old Tehsil Building, Mehrauli, New Delhi, which indicates that the documents had been presented and that, upon scrutiny, an objection was noticed requiring an NOC/status report in respect of the land. According to the Petitioner, the land acquisition proceedings and allied issues which formed the basis of the said objection already stood closed as the land stood de-notified, and therefore the impediment referred to in the said communication no longer survived.

4. The record thereafter reflects a considerable lapse of time. The Petitioner is stated to have addressed a representation dated 7th June 2010 to the Deputy Registrar and the Registrar (South Zone), seeking action in respect of the non-registration of the documents. The matter appears to have remained unresolved, and ultimately, by communication dated 25th September 2017, the Petitioner was informed that the documents submitted under the aforesaid receipt numbers were not traceable. The same communication further indicated that upon tracing of the documents, steps would be taken for their registration, if found otherwise in order.

5. Certain subsequent representations were also exchanged between the parties, in the course of which the Petitioner appears to have been called upon to furnish copies of the documents which had allegedly been presented for registration. It transpires, however, that the Petitioner does not possess a photocopy of the sale deeds as engrossed on the original stamp papers. Nonetheless, in support of its case, the Petitioner places reliance on a



communication dated 12th October 2019 issued by the office of the Divisional Commissioner, Government of NCT of Delhi, which records that non-judicial stamp papers bearing specified serial numbers and values were issued in favour of the Petitioner on 6th May 2006 for the purpose of execution of a sale deed. The said letter is extracted hereinbelow:

“No. F.1(1)/Misc./DT/DC/2019/525

Dated: 12/10/2019

*To,
The Sulabh Impex Limited
127-128, Tribhuvan Complex,
Ishwar Nagar, Mathura Road
New Delhi*

Sub:- Regarding Verification/information in respect of Stamp paper purchased in favour of Sulabh Impex Ltd. for Sale Deed.

*Sir,
Please refer to your letter No. Nil dated 07/10/2019 on the subject cited above. In this regard, it is informed that, as per available records in this office the Non Judicial Stamp paper of Rs. 37420/- vide serial No. 3224, Stamp paper of Rs. 37420/- vide serial No. 3225 and Stamp papers of Rs. 18530/- vide serial No. 3226 were issued in favour of SULABH IMPEX LIMITED at 1501, Nirmal Tower, 26 Barakhamba Road, New Delhi for the purpose of Sale Deed on dated 6/5/2006 by Delhi High Court Post Office, New Delhi. The copy or relevant page is enclosed.
Yours faithfully
Sd/-
(Anil Sirohi)
SDM-III(HQ)/TREASURY OFFICER.”*

6. The aforesaid communication may, at best, prima facie establish purchase of stamp papers for a proposed transaction. It does not, however, establish the contents of the instruments allegedly presented for registration, nor demonstrate that the documents presently relied upon are identical to those originally submitted before the registering authority.

7. Counsel for the Petitioner submits that, once the Respondents



themselves acknowledge that the documents are not traceable, the Petitioner cannot be left remediless for an omission attributable to the registering authority. Registration ought now to be effected on the basis of available secondary material and with reference to the stamp duty position prevailing on the date of original presentation. Counsel, however, fairly concedes that no copy of the document as engrossed on the original stamp papers is available on record.

8. At this stage, this Court is not persuaded to issue a positive direction for registration. The scheme of the Registration Act, 1908 contemplates that once a document is presented for registration, the registering officer is required to process the same in accordance with law, conduct the enquiry contemplated by the Act, and thereafter either admit the document to registration or pass a reasoned order of refusal in the manner known to law.

9. The statutory framework does not countenance an indefinite state of uncertainty where a document is shown as having been received, but neither brought to registration nor made the subject of a formal order of refusal.

10. There is no clear material on record to indicate: whether the documents presented under receipt Nos. 15364, 15365 and 15366 were in fact formally received and processed to the stage contemplated by law; whether any deficiency memo or objection remained pending; whether any order refusing registration was ever passed under the Registration Act, 1908; and whether the original record relating to the said documents is available, missing, weeded out, or otherwise incapable of being produced. These issues go to the root of the relief claimed by the Petitioner.

11. The factual clarity on the afore-noted issues must be provided by the registering authority. Accordingly, Respondents shall produce the original



file(s), records and registers pertaining to receipt Nos. 15364, 15365 and 15366, including any noting sheets, objection memos, refusal endorsements, dispatch records or connected correspondence, on the next date of hearing. In addition, Respondent No. 2 shall also file an affidavit of a responsible officer clearly stating: (i) whether the documents in question were presented and received for registration; (ii) whether any order of refusal was passed, and if so, on what date and under which provision; (iii) whether the original documents or the concerned file are presently traceable; and (iv) if the record is not traceable, the steps taken to locate the same and the present status thereof.

12. Let the aforesaid exercise be completed within a period of four weeks from today. The matter be listed thereafter for further consideration.

13. Renotify on 19th August, 2026.

SANJEEV NARULA, J

APRIL 29, 2026

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