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

+ RFA 1131/2025

SMT. MAMTA SINGHAL & ORS.Appellants

Through: Mr. Surender Kumar Gupta, Mr.
Shubham Chaturvedi and Ms. Priya
Mishra, Advocates.

versus

SMT. NIRMALA & ORS.Respondents

Through: Mr. Sehdev Singh Tomar, Advocate
for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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12.12.2025

CM APPL. 78641/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM APPL. 78642/2025

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the applicants/appellants seek permission to take on record lengthy synopsis and list of dates and events filed.

2. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.
3. The application is disposed-of.



CM APPL. 78643/2025

4. By way of the present application filed under section 151 CPC, the applicants/appellants seek permission to place on record Annexure A-23 *i.e.* uncertified copy of EX. DW-1/DX-1, which is a document that was exhibited during cross-examination of DW-1.
5. It is noticed that the document is part of the TCR, which has been requisitioned.
6. The application is accordingly disposed-of as infructuous.

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CM APPL. 78640/2025 (stay)

7. By way of the present regular appeal filed under section 96 read with Order XLI CPC, the appellants impugn judgment and decree dated 02.09.2025 passed by the learned District Judge - 02 & Waqf Tribunal, New Delhi District, Patiala House Courts, New Delhi in suit bearing CS No.56572/2016.
8. Learned counsel appearing for the appellants submits, that appellants Nos. 1 and 2 are the holders of Conveyance Deed dated 29.04.2006 executed and registered by the L&DO in their favour, upon conversion of the suit property from 'leasehold' to 'freehold'.
9. Learned counsel submits, that respondents Nos. 1 and 2 (plaintiffs in the suit) were not executants of the conveyance deed; but after 07 years of execution of the conveyance deed in favour of appellants Nos. 1 and 2, the said parties filed the suit claiming *cancellation* of the conveyance deed alongwith ancilliary reliefs, which suit has been decreed. Other questions apart, counsel submits, that the claim for 'cancellation' of the conveyance deed at the behest of the plaintiffs,



who were not executants of the document, is not maintainable in view of the decision of the Supreme Court in ***Suhrid Singh alia Sardool Singh vs. Randhir Singh and Ors.***¹

10. Issue notice.
11. Mr. Sehdev Singh Tomar, learned counsel appears on behalf of respondents Nos.1 and 2 on advance copy; and accepts notice.
12. Upon the appellants taking steps, let notice be sent to the remaining respondents by all permissible modes, returnable for the next date.
13. Let reply to CM APPL. No.78640/2025 be filed within 06 weeks; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
14. No reply is required in the appeal.
15. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
16. Re-notify on 03rd March 2026 before the learned Joint-Registrar for completion of service; and for completion of pleadings in CM APPL. No.78640/2025.
17. List before court thereafter.
18. On a *prima-facie* view of the matter, and in view of the submissions made, the effect and operation of the impugned and decree 02.09.2025 shall remain *stayed*, till the next date of hearing before this court.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 12, 2025/ak

¹ (2010) 12 SCC 112