

ITEM NO.15

COURT NO.10

SECTION XIV

S U P R E M E                      C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).12512/2011

(From the judgement and order dated 28/02/2011 in  
of The HIGH COURT OF DELHI AT N. DELHI)

RFA No. 358/2000

RAMESH CHAND

Petitioner(s)

VERSUS

SURESH CHAND &amp; ANR.

Respondent(s)

(With prayer for interim relief)

Date: 11/05/2011      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)              Mr. Rajesh Aggarwal, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the petitioner.  
Issue notice returnable on 25.7.2011.                      Dasti,  
in addition, is permitted.

One of the question of general importance  
which would require consideration is whether the  
transfer of immoveable properties in Delhi is legally  
permissible without a registered document and whether  
the view taken by the Delhi High Court in "Asha M. Jain  
versus Canara Bank" [(2001) 94 DLT 841] represent the  
correct position of law.

Since the petitioner herein appears to have  
transferred 50% of the property in dispute by the same

2

mechanism, we deem it proper to seek independent  
assistance and for that purpose a request was made to  
Shri Rakesh Dwivedi, learned senior counsel,                      who  
graciously accepted our request to assist the Court as  
amicus in deciding the question.

The Registry is directed to supply a complete  
set of paper book to the counsel assisting Shri                      Rakesh  
Dwivedi within two weeks.

List the case on 25.7.2011.

In the meanwhile, status quo, as it is  
obtaining today, shall be maintained by all the  
parties.

(A.D. Sharma)  
Court Master

(Phoolan Wati Arora)  
Court Master