

# Dinesh Takkar vs Govt. Of Nct Of Delhi & Ors on 17 May, 2021

**Author: Sanjeev Sachdeva**

**Bench: Sanjeev Sachdeva**

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IN THE HIGH COURT OF DELHI AT NEW DELHI  
W.P. (C) 2288/2021  
DINESH TAKKAR

Through

Mr. Vikesh R

versus

GOVT. OF NCT OF DELHI & ORS.

Through None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA  
ORDER

% 17.05.2021 CM APPLN. 6633/2021 (Exemption) Allowed, subject to all just exceptions. W.P. (C) 2288/2021 & CM APPLN. 6632/2021 (stay)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns order dated 02.03.2020 whereby the District Magistrate has allowed the appeal filed by respondent no. 4 and directed the Sub-Registrar to register the sale deed dated 04.07.2019 executed by respondent no. 5 in favour of respondent no. 4.
3. Learned counsel for the petitioner submits that the subject property was owned by one Sh. Girdhar Gopal who, by way of a registered will dated 17.04.2007, bequeathed the property in favour of his son - Inder Gopal. Inder Gopal executed a sale deed in favour of SACHDEVA MAGGU W.P.(C) 2288/2021 Signing Date:17.05.2021 1 Signing Date:17.05.2021 21:33:21 21:02 This file is digitally signed by PS to HMJ Sanjeev Sachdeva.
- the petitioner on 04.07.2019 with regard to the entire property and subsequently respondent no. 5 his sister has allegedly attempted to sell one-sixth share in the subject property in favour of respondent no. 4 by executing sale deed.
4. Learned counsel further submits that respondent no. 5 subsequently filed objections with the Sub-Registrar stating that she was not the owner of the property and the property had already been sold by her brother i.e. respondent no. 6 in favour of the petitioner.
5. Learned counsel submits that the Sub-Registrar accordingly refused to register sale deed. Respondent no. 4 impugned the decision of the Sub-Registrar by way of an appeal to the District

Magistrate and the District Magistrate has by impugned order directed registration of the sale deed.

6. Learned counsel further submits that pursuant to impugned order dated 02.03.2020 sale deed has been registered and today there are two sale deeds on the records of the Sub-Registrar in respect of the same property. He submits that respondent no. 4 is threatening to create third party rights based on his sale deed.

7. Issue notice to the respondents returnable on 16.08.2021.

8. In the meantime, respondent no. 4 is restrained from creating any third party rights or selling, alienating or transferring the subject property based on sale deed dated 11.07.2019.

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9. Till the next date of hearing, Respondent no. 3 - Sub-Registrar is directed not to register any title document executed by respondent no. 4 based on sale deed dated 11.07.2019.

10. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J MAY 17, 2021 'rs' SACHDEVA MAGGU W.P.(C) 2288/2021 Signing Date:17.05.2021 3 Signing Date:17.05.2021 21:33:21 21:02 This file is digitally signed by PS to HMJ Sanjeev Sachdeva.