



IN THE COURT OF COLLECTOR/ DISTRICT MAGISTRATE
DISTRICT: SOUTH - WEST

Ref. No. DC/SW/2018/2736
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI -110037.

Dated: 29/6/2018

APPEAL No. 1/26/2018

Sarla Devi GuptaAppellant

Vs.

SR-IX (A)Respondents

ORDER

1. This order shall dispose the Appeal titled as above, filed under Section 72 of Registration Act, 1908 against the order number F/SR-IX(A)/DC (SW)/Refusal/2018/54, dated 25th day of April 2018 passed by Sub-Registrar -IX(A), Najafgarh, New Delhi.

That an instruments styled as Will was presented before the Sub-Registrar for registration of property bearing Plot No. B-7, area measuring 167 Sq. Mtrs., out of Khasra No.422 and 376, situated in the revenue estate of village Islampur Deepa, Colony known as Shanti Nagar Colony, Civil Line-II, Bijnor, Uttar Pradesh-246701 and was refused to register as the suit property was found to be situated in out of state and not in the jurisdiction of SR-IX (A), hence the registration was refused.

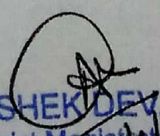
2. In her appeal the appellant has prayed to this court to set aside the impugned order dated 25/04/2018 and direct the respondent to register the Will/instrument presented on 25/04/2018.

3. Guidelines:-**Wills may be presented or deposited at any time.**—A will may at any time be presented for registration or deposited in manner hereinafter provided.

Place for registering documents relating to land.—Save as in this Part otherwise provided, every document mentioned in section 17, sub-section (1), clauses (a), (b), (c) 2[, (d) and (e), section 17, sub-section (2), in so far as such document affects immovable property,] and section 18, clauses (a), (b) 3[(c) and (cc),] shall be presented for registration in the office of a Sub-Registrar within whose sub-district the whole or some portion of the property to which such document relates is situate.

Sarla Devi Gupta Vs. SR-IX (A)

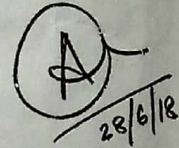
Page 1 of 2


ABHISHEK DEV, IAS
District Magistrate
South-West District
Govt. of NCT of Delhi
Old Terminal Tax Building
Kapashera, New Delhi- 37

Place for registering other documents.—(1) Every document 4[not being a document referred to in section 28 or a copy of a decree or order], may be presented for registration either in the office of the Sub-Registrar in whose sub-district the document was executed, or in the office of any other Sub-Registrar under the 5[State] Government at which all the persons executing and claiming under the document desire the same to be registered.

(2) A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose sub-district the original decree or order was made, or, where the decree or order does not affect immovable property, in the office of any the Sub-Registrar under the 5[State] Government at which all the persons claiming under the decree or order desire the copy to be registered.

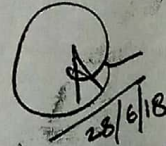
4. On the basis of discussion and after perusing of Section 28 & 29 of the Registration Act, 1908 mentioned above, appeals are therefore allowed and I find that the impugned orders need to be set aside.
5. The SR-IX (A) is hereby directed to take necessary action for the registration of Will as per the provisions of Registration Act, 1908.
6. Given under my hand and seal on this 28th day of June 2018.



(ABHISHEK DEV, IAS)
DISTRICT MAGISTRATE
SOUTH WEST DISTRICT
DELHI-110037

Copy:

1. SR-IX (A), Najafgarh, New Delhi.
2. Smt. Sarla Devi Gupta R/o K-44, Gali No. 7D, Puran Nagar, Palam Colony, New Delhi.
3. System Analyst (SW).
4. Guard File.



(ABHISHEK DEV, IAS)
DISTRICT MAGISTRATE
SOUTH WEST DISTRICT
DELHI-110037
District Magistrate
South-West District
Govt. of NCT of Delhi
Old Terminal Tax Building
Kapashera, New Delhi-37

Sarla Devi Gupta Vs. SR-IX (A)

Page 2 of 2