

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 30.7.1998

Date of Hearing: 15th March, 2018

Complainant : Shri Devender Kumar
Respondent : **Special Commissioner of Police (Vigilance), Delhi Police,
Delhi Police Headquarters, I.P. Estate, New Delhi.**
Grievance No. : PGC/2016/DP/76
Grievance filed on : 08/03/2016
First hearing in the PGC : 19/05/2016
Scheduled on

1. Brief facts of the complaint

The complainant has alleged that on 2.9.2013, he had made an agreement with Shri Ram Narayan and Shri Ramesh Chander (both real brothers). As per the agreement, alleged persons are absolute owners of property measuring 52.5 sq.yards, 19/16, West Moti Bagh, Sarai Rohilla, Delhi and decided to sell the said property to the complainant Shri Devender for the total consideration amount of Rs. 28 lakhs. The complainant further stated that at the time of agreement, he paid case Rs. 4,00,000/- in advance and the balance amount i.e. Rs. 24,00,000/- to be paid at the time of registration of papers in Registrar office. On 17.10.13, he and the alleged persons appeared before the Registrar Office, Kashmere Gate and the balance amount i.e. Rs. 24,00,000/- was paid to the alleged persons in cash but the property in question was not transferred in favour of the complainant, as the alleged persons were found not to be the absolute owner to the said property. The alleged persons did not get transferred the above property nor returned the amount to the complainant. The complainant has requested for strict legal action against the alleged persons.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 19th May, 2016, the second hearing on 30.6.2016, the third hearing on 28th July, 2016, the fourth hearing on 27th October, 2016, the fifth hearing held on 2nd March, 2017, the sixth hearing held on 8th June, 2017, the seventh hearing held on 31st August, 2017, the eighth hearing held on 1st February, 2018 and the ninth hearing held on 15th February, 2018 and the 10th hearing held on 15th March, 2018. At the hearing, the following following were present :-

Complainant Present

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Respondent : SI Puneet Bharti, DIU/North

Shri R.P.Saini, ACP/PG cell/North

3. Relevant facts emerging during the hearing

An ATR has been filed by SI Puneet Bharti, DIU/North stating the following :-

- i. An enquiry was made into this matter and it has been revealed that the actual owner of above said property measuring 110 sq.yards was Shri Birakhe Ram, father of alleged persons. After the death of Birakh Ram above said property was transferred to his wife Anaro Devi (Mother of alleged persons) by registered deed. Alleged persons are three brothers and all are residing separately. After the death of Birakhe Ram, his wife Anaro Devi use to resides with her elder son Ratti Ram. On 1.8.2006, Anaro Devi transferred the ownership of above said property in favour of RattiRam by registered will, at Registrar office, Janakpuri,Delhi. Several civil litigations regarding the said property are also pending before the Hon'ble Courts.
- ii. After enquiry, a case FIR NO. 597/17 dated 2.6.2015 u/s 420/468/471/34 IPC has been registered at PS Sarai Rohilla, Delhi on the complaint of Shri Devender Kumar. During the course of investigation, IO/SI Alok Kumar seized the relevant documents in respect of questioned property and statements of witnesses have been recorded.
- iii. Later on the investigation of the case was handed over to me on 27.7.2016. During the course of investigation, I arrested the one accused person namely Ramesh Chand s/o Lt. Shri Birakhe Ram, r/o 19/16, Gali NO. 2, west Moti Bagh, Sarai Rohilla, Delhi on 13.12.2016 and accused Ramesh Chand got the bail by the Hon'ble Court. His real brother who claimed himself as owner of the property and property dealer Binesh Kumar is yet to be interrogated. If their involvement found they would be arrested.
- iv. It is, therefore, requested that next date may please be given to finalise the same."

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4. Directions of PGC

IO is directed to chargesheet the case expeditiously. With the above advice, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

1. The Special Commissioner of (Vigilance), Delhi Police, Delhi Police Headquarters, I.P. Estate, New Delhi
2. Additional Commissioner (Vigilance), Delhi Police, PS Barakhambha Road, Connaught Place, New Delhi
3. DCP/District North, Behind Police Station Civil Lines, New Delhi
4. SHO/PS Sarai Rohilla, Police Station Sarai Rohilla, Delhi
5. Shri Devender Kumar