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* IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 7994/2010

HARISH CHANDER SHARMA & ANR Petitioner
Through: Mr.S.N. Kalra, Advocate

versus

DDA & ANR Respondent
Through: Ms.Renuka Arora, Advocate

CORAM:
HON'BLE MR. JUSTICE G.S.SISTANI

ORDER
17.10.2012

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1. Petitioner is aggrieved by the communication dated 08.03.1996, by which application of the petitioner for conversion of the property bearing plot No.B-552, New Friends Colony, C.H.B.S., Delhi from lease-hold to free-hold was rejected.
2. Counsel for the petitioner submits that the order of 08.03.1996 is devoid of any reasons and it shows complete non-application of mind. It is also submitted that the respondents have failed to state as to why the application for conversion has been rejected. It is further submitted that the petitioner is willing to comply with all the formalities and pay all the dues of the DDA along with interest.
3. Counsel for the respondent submits that the application of the petitioner for conversion was rejected on account of a fact that plot was sold by a Benami transaction and in violation of clause II (6)b of the Sub-Lease Deed and further failed to carry out construction after

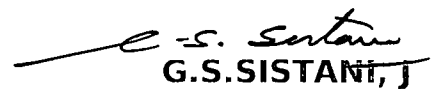
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the expiry of 10 years. Counsel for the petitioner disputes the same.

4. Counsel for the petitioner submits that, at this stage, petitioner will be satisfied if a direction is issued to the DDA to re-consider the request of the petitioner and the petitioner be granted an opportunity to produce all the necessary documents. Thereafter the DDA should either convert the property or pass a reasoned order. Counsel for the respondent has no objection.
5. Accordingly, the writ petition is disposed of with the following agreed terms:
 - (i) Petitioner will make afresh representation to the DDA by enclosing all the documents, including documents pertaining to proceedings before the Economic Offences Wing and such other documents which the respondent may seek.
 - (ii) The respondent will grant a personal hearing to the petitioner and thereafter will pass a reasoned order within a period of three months of the personal hearing.

The writ petition is disposed of, on the above agreed terms

OCTOBER 17, 2012
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G.S.SISTANI, J