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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11039/2019, CM APPL. 45549/2019

LOKESH

.....Petitioner

Through: Mr. Arindam Sarin, Adv.

versus

VICE CHAIRMAN, DELHI DEVELOPMENT AUTHORITY &

ORS

.....Respondents

Through: Ms. Shahana Farah (ASC), Mr.
Abhigyan, Ms. Reya Paul, Advs. for
DDA

26

+ W.P.(C) 11207/2019, CM APPL. 46099/2019

BHIM SINGH

.....Petitioner

Through: Mr. Arindam Sarin, Adv.

versus

VICE CHAIRMAN, DELHI DEVELOPMENT AUTHORITY &

ORS

.....Respondents

Through: Ms. Shahana Farah (ASC), Mr.
Abhigyan, Ms. Reya Paul, Advs. for
DDA

27

+ W.P.(C) 11334/2019, CM APPL. 46655/2019

RAM VILAS

.....Petitioner

Through: Mr. Arindam Sarin, Adv.

versus

VICE- CHAIRMAN , DDA & ORS.

.....Respondents

Through: Ms. Shahana Farah (ASC), Mr.
Abhigyan, Ms. Reya Paul, Advs. for
DDA

28

+ W.P.(C) 11357/2019, CM APPL. 46824/2019

RAJEEV PARKHI

.....Petitioner

Through: Mr. Arindam Sarin, Adv.

versus



VICE CHAIRMAN, DELHI DEVELOPMENT AUTHORITY &
ORS

.....Respondents

Through: Ms. Shahana Farah (ASC), Mr.
Abhigyan, Ms. Reya Paul, Advs. for
DDA
Mr. Abhinav Singh advocate for
GNCTD

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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22.07.2026

1. These are writ petitions filed under Article 226 of the Constitution of India seeking the following prayers :-

W.P.(C) 11039/2019

“(i) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature to call for the relevant record of the Respondent No.4- Delhi Development Authority represented by Respondent Nos. 1 to 3 maintained in relation to "DDA Housing Scheme, 2008" including the record of draw of lots being Draw No.136 held on 16.12.2008 and in particular, file/record pertaining to the application of the petitioner submitted vide Application No.724799; AND

(ii) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature thereby commanding the respondent Nos. 1 to 4:-

(a) to issue to the petitioner forthwith the demand-cum-allotment letter towards disposal cost of the allotted flat (inclusive of land premium, cost of construction etc. and free hold charges granting discount of 40% thereon as per extent



policy but without levying any penalty and without demanding any interest on the amount so demanded from the petitioner, and by excluding/giving due adjustment of amount already paid/ deposited by the petitioner as registration/application money and interest accrued thereon @ 15% per annum compounded from its date of payment/ deposit till the date of issuance of demand-cum-allotment letter) as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme, alongwith blank conveyance deed and other requisite forms, if any, in respect of L.I.G. Flat No. 142, 3rd Floor, Phase 2, Sector 18-B, Dwarka, New Delhi which has been allotted to the petitioner in the draw of lots held on 16.12.2008 vide Draw No.136 for "DDA Housing Scheme, 2008", by Respondent No.4/DDA represented through the Respondent Nos. 1 to 3 herein; AND (b) to take/accept payment from the petitioner as per the demand-cum-allotment letter issued to him towards disposal cost of the aforesaid allotted flat as on the date of its allotment to the Petitioner i.e. as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme; AND consequently, (c) to further direct the respondents to deliver to the petitioner vacant peaceful physical possession of his aforesaid allotted flat, namely, L.I.G. Flat No. 142, 3rd Floor, Phase 2, Sector 18-B, Dwarka, New Delhi forthwith upon completion of



requisite formalities as per the terms and conditions of "DDA Housing Scheme 2008" and in any case, not later than 15 (fifteen) days from completion of requisite formalities by the petitioner; and

(iii) issue a writ of prohibition/mandamus or any other appropriate writ, order or direction in the like nature prohibiting/commanding/restraining the Respondent Nos. 1 to 4 from selling, alienating or transferring or creating any third party right, title or interest in any manner whatsoever or from parting with possession of the aforesaid flat being L.I.G. Flat No. 142, 3rd Floor, Phase 2, Sector 18-B, Dwarka, New Delhi, either wholly or partly, to any third party; AND

(iv) pass all necessary consequential orders/ directions.

(v) award costs in favour of the petitioner and against the respondents.”

W.P.(C) 11207/2019

“(i) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature to call for the relevant record of the Respondent No.4- Delhi Development Authority represented by Respondent Nos. 1 to 3 maintained in relation to "DDA Housing Scheme, 2008" including the record of draw of lots being Draw No.136 held on 16.12.2008 and in particular, file/record pertaining to the application of the petitioner submitted vide Application No.636095; AND

(ii) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature thereby commanding the respondent Nos. 1 to 4:-



(a) to issue to the petitioner forthwith the demand-cum-allotment letter towards disposal cost of the allotted flat (inclusive of land premium, cost of construction etc. and free hold charge is granting discount of 40% thereon as per extent policy but without levying any penalty and without demanding any interest on the amount so demanded from the petitioner, and by excluding/giving due adjustment of amount already paid/deposited by the petitioner as registration/application money and interest accrued thereon @15% per annum compounded from its date of payment/ deposit till the date of issuance of demand-cum-allotment letter) as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme, alongwith blank conveyance deed and other requisite forms, if any, in respect of L.I.G. Flat No. 105, 4th Floor, Block A-2, Vasant Kunj, New Delhi which has been allotted to the petitioner in the draw of lots held on 16.12.2008 vide Draw No. 136 for "DDA Housing Scheme, 2008", by Respondent No.4/DDA represented through the Respondent Nos. 1 to 3 herein; AND

(b) to take/accept payment from the petitioner as per the demand-cum-allotment letter issued to him towards disposal cost of the aforesaid allotted flat as on the date of its allotment to the Petitioner i.e. as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme; AND consequently,



(c) to further direct the respondents to deliver to the petitioner vacant peaceful physical possession of his aforesaid allotted flat, namely, L.I.G. Flat No. 105, 4th Floor, Block A-2, Vasant Kunj, New Delhi forthwith upon completion of requisite formalities as per the terms and conditions of "DDA Housing Scheme 2008" and in any case, not later than 15 (fifteen) days from completion of requisite formalities by the petitioner; and

(iii) issue a writ of prohibition/mandamus or any other appropriate writ, order or direction in the like nature prohibiting/commanding/restraining the Respondent Nos. 1 to 4 from selling, alienating or transferring or creating any third party right, title or interest in any manner whatsoever or from parting with possession of the aforesaid flat being L.I.G. Flat No. 105, 4th Floor, Block A-2, Vasant Kunj, New Delhi, either wholly or partly, to any third party; AND

(iv) pass all necessary consequential orders/ directions.

(v) award costs in favour of the petitioner and against the respondents. ...”

W.P.(C) 11334/2019

“(i) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature to call for the relevant record of the Respondent No.4- Delhi Development Authority represented by Respondent Nos. 1 to 3 maintained in relation to "DDA Housing Scheme, 2008" including the record of draw of lots being Draw No.136 held on 16.12.2008 and in particular, file/record pertaining to the application of the petitioner submitted vide Application No.445672; AND



(ii) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature thereby commanding the respondent Nos. 1 to 4:-

(a) to issue to the petitioner forthwith the demand-cum-allotment letter towards disposal cost of the allotted flat (inclusive of land premium, cost of construction etc. and free hold charges granting discount of 40% thereon as per extent policy but without levying any penalty and without demanding any interest on the amount so demanded from the petitioner, and by excluding/giving due adjustment of amount already paid/deposited by the petitioner as registration/application money and interest accrued thereon @ 15% per annum compounded from its date of payment/ deposit till the date of issuance of demand-cum-allotment letter) as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme, alongwith blank conveyance deed and other requisite forms, if any, in respect of L.I.G. Flat No. 751, Ground Floor, Block A-3, Vasant Kunj, New Delhi which has been allotted to the petitioner in the draw of lots held on 16.12.2008 vide Draw No.136 for "DDA Housing Scheme, 2008", by Respondent No.4/DDA represented through the Respondent Nos. 1 to 3 herein; AND

(b) to take/accept payment from the petitioner as per the demand-cum-allotment letter issued to him towards disposal cost of the aforesaid allotted flat as on the date of its allotment



to the Petitioner i.e. as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme; AND consequently,

(c) to further direct the respondents to deliver to the petitioner vacant peaceful physical possession of his aforesaid allotted flat, namely, L.I.G. Flat No. 751, Ground Floor, Block A-3, Vasant Kunj, New Delhi forthwith upon completion of requisite formalities as per the terms and conditions of "DDA Housing Scheme 2008" and in any case, not later than 15 (fifteen) days from completion of requisite formalities by the petitioner; and

(iii) issue a writ of prohibition/mandamus or any other appropriate writ, order or direction in the like nature prohibiting/commanding/restraining the Respondent Nos. 1 to 4 from selling, alienating or transferring or creating any third party right, title or interest in any manner whatsoever or from parting with possession of the aforesaid flat being L.I.G. Flat No. 751, Ground Floor, Block A-3, Vasant Kunj, New Delhi, either wholly or partly, to any third party; And

(iv) pass all necessary consequential orders/ directions.

(v) award costs in favour of the petitioner and against the respondents. ...”

W.P.(C) 11357/2019

“(i) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature to call for the relevant record of the Respondent No.4- Delhi Development Authority



represented by Respondent Nos. 1 to 3 maintained in relation to "DDA Housing Scheme, 2008" including the record of draw of lots being Draw No.136 held on 16.12.2008 and in particular, file/record pertaining to the application of the petitioner submitted vide Application No.516924; AND

(ii) issue a writ of mandamus or any other appropriate writ, order or direction in the like nature thereby commanding the respondent Nos. 1 to 4:-

(a)to issue to the petitioner forthwith the demand-cum-allotment letter towards disposal cost of the allotted flat (inclusive of land premium, cost of construction etc. and free hold charges granting discount of 40% thereon as per extent policy but without levying any penalty and without demanding any interest on the amount so demanded from the petitioner, and by excluding/giving due adjustment of amount already paid/deposited by the petitioner as registration/application money and interest accrued thereon @ 15% per annum compounded from its date of payment/ deposit till the date of issuance of demand-cum-allotment letter) as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme, alongwith blank conveyance deed and other requisite forms, if any, in respect of L.I.G. Flat No. 94, 1st Floor, Block A-2, Vasant Kunj, New Delhi which has been allotted to the petitioner in the draw of lots held on 16.12.2008 vide Draw No.136 for "DDA Housing Scheme, 2008", by Respondent No.4/DDA



represented through the Respondent Nos. 1 to 3 herein; AND
(b) to take/accept payment from the petitioner as per the demand-cum-allotment letter issued to him towards disposal cost of the aforesaid allotted flat as on the date of its allotment to the Petitioner i.e. as on 16.12.2008 or on such other date on which demand-cum-allotment letter has been first issued in respect of a successful allottee belonging to scheduled caste category under the same scheme; AND consequently,
(c) to further direct the respondents to deliver to the petitioner vacant peaceful physical possession of his aforesaid allotted flat, namely, L.I.G. Flat No. 94, 1st Floor, Block A-2, Vasant Kunj, New Delhi forthwith upon completion of requisite formalities as per the terms and conditions of "DDA Housing Scheme 2008" and in any case, not later than 15 (fifteen) days from completion of requisite formalities by the petitioner; and
(iii) issue a writ of prohibition/mandamus or any other appropriate writ, order or direction in the like nature prohibiting/commanding/restraining the Respondent Nos. 1 to 4 from selling, alienating or transferring or creating any third party right, title or interest in any manner whatsoever or from parting with possession of the aforesaid flat being L.I.G. Flat No. 94, 1st Floor, Block A-2, Vasant Kunj, New Delhi, either wholly or partly, to any third party; AND
(iv) pass all necessary consequential orders/ directions.
(v) award costs in favour of the petitioner and against the respondents. ...”

2. The facts are that in W.P.(C) 11039/2019, the petitioner have been



allotted flat bearing no. L.I.G, Flat no. 142, 3rd floor, Phase 2, Sector 18-B, Dwarka, New Delhi in the Schedule Caste category, in W.P.(C) 11207/2019 the petitioner have been allotted flat bearing no. L.I.G. Flat No. 105, 4th Floor, Block A-2, Vasant Kunj, New Delhi in Scheduled Caste category, in W.P.(C) 11334/2019 the petitioner have been allotted flat bearing no. L.I.G. Flat No. 751, Ground Floor, Block A-3, Vasant Kunj, New Delhi in Scheduled Caste category and in W.P.(C) 11357/2019 the petitioner have been allotted flat bearing no. L.I.G. Flat No. 94, 1st Floor, Block A-2, Vasant Kunj, New Delhi in Scheduled Caste category. The flats were allotted under the Delhi Development Authority (“**DDA**”) Housing Scheme, 2008 pursuant to draw of lots held on 16.12.2008.

3. However, the petitioners have not been given demand-cum-allotment letters. Hence, the present petition.
4. Ms. Farah, learned standing counsel for the respondents/DDA, draws my attention to the counter affidavit on behalf of the DDA to state that the Economic Offences Wing (“**EOW**”), Crime Branch, Delhi Police *vide* letter no. 423/P.Sec/Addl.CP/EOW dated 29.10.2009, in status report stated that allotment case of the petitioners along with others are under investigation by EOW. Since, the matter was pending investigation, the respondents/DDA, out of prudence and in order to avoid multiplicity of allotment in favour of the petitioners, did not issue demand-cum-allotment letters as that the petitioners were named in the FIR.
5. She further states that the petitioners have not been able to show their source of fund for purchase of flat and criminal proceedings are pending.



6. I have heard learned counsels for the parties,
7. In the present case, since the petitioners were named in the FIR, the respondents, out of prudence, did not issue demand-cum-allotment letters. After investigation, the EOW has filed the chargesheet in 2019 and the petitioners are only shown in the list of witnesses.
8. As per the petitioners, no charges have been framed against the petitioners.
9. I am of the view that petitioners are not named in the chargesheet and no charges have been framed. The petitioners are only listed as witnesses. Knowing the source of fund for purchasing a flat is not within the domain of DDA. DDA cannot ask for or be concerned with the source of fund and that is entirely within the purview of investigating agency.
10. In view of the aforesaid reasoning, the petitions are allowed. It is directed that DDA shall issue demand-cum-allotment letter within 8 weeks from today indicating the amount due and payable by the petitioners. The payment shall be made within 8 weeks thereafter and on payment, the petitioners will be allotted the flats as per their entitlement.
11. In case any of the statements are found to be untrue, the respondents/DDA will be entitled to make an application seeking recall of the order passed today.
12. With the said directions, the present petitions are disposed of, along with pending applications, if any.

JASMEET SINGH, J

JULY 22, 2026/jk