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

+ EX.P. No.12/2008

M/S GAMMON INDIA LTD

..... Decree Holder

Through: Mr. Varun Kapoor, Adv.

versus

M/S CAPRICON INDUSTRIAL LTD. &

ANR

..... Judgement Debtors

Through: Mr. Ujjwal K. Jha, Adv. for JDs.

Mr. Sanjeev Sabharwal, Standing Counsel for
DDA with Mr. Hem Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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28.11.2016

1. This execution of a decree for specific performance of an agreement of sale of immovable properties is pending for 8 years.
2. It appears that the land underneath the subject property is a leasehold and hence the freehold conversion is first required to be done and for which directions have been issued from time to time.
3. The execution petition is disposed of with the following directions.
 - (i) The decree holder to deposit the forms for freehold conversion admittedly received from the judgment debtors on or before 15th December, 2016 as sought. If the decree debtor does not do the needful, it will be deemed that the decree holder is not ready and willing.

(ii) The DDA is directed to on or before 7th December, 2016 issue a letter to the decree holder informing all formalities to be completed for freehold conversion.

(iii) The judgment debtors to deposit all other charges if any remaining to be deposited with the DDA for freehold conversion also by 15th December, 2016. If the same is not done Mr. Vikramajeet Ahluwalia of the judgment debtors shall be personally liable for breach of the direction of the Court and will have to face the consequences thereof.

(iv) Subject to all formalities being completed, DDA to execute and register the deed of freehold conversion on or before 31st January, 2017.

4. On inquiry, it is informed that the deed aforesaid of freehold conversion will be directly in the name of the decree holder and thus the need for execution of a sale deed by the judgment debtors in favour of the decree holder will not arise.

Order be given dasti under signature of the Court Master.

RAJIV SAHAI ENDLAW, J

NOVEMBER 28, 2016
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