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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 7042/2016 & CM APPL. 28964/2016

JAIPAL

Through

..... Petitioner

Mr. Jitendra Singh with Mr. Brij
Mohan, Advocates

versus

VICE CHAIRMAN, DELHI DEVELOPMENT
AUTHORITY

Through

..... Respondent

Mr. Sanjeev Sabharwal, Standing
Counsel for DDA.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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10.08.2016

Present writ petition has been filed seeking a direction to respondent-DDA to convert the petitioner's property from leasehold to freehold.

Learned counsel for the petitioner states that the petitioner was allotted a Janta Flat in 1990 and had deposited requisite fee of Rs. 54,000/- in 1994. It is the petitioner's case that the petitioner misplaced the bag containing original documents on 2nd May, 2014 and filed a report with the Delhi Police Crime Branch.

On 8th May, 2014 the petitioner submitted an application for conversion to the DDA. On 23rd June, 2014, DDA replied that the file pertaining to the petitioner's flat was not traceable.

Since neither the petitioner nor the DDA is able to trace the original papers, this Court in writ jurisdiction cannot issue a direction as prayed for. However, the petitioner is given liberty to file a civil suit for the appropriate relief, as in the said proceedings, petitioner would be able to lead evidence including secondary evidence with regard to the documents that have been misplaced/lost.

With the aforesaid liberty, present petition and applications are disposed of. The rights and contentions of all the parties are left open.

MANMOHAN, J

AUGUST 10, 2016

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