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

+ W.P.(C) 3038/2016

ANITA

..... Petitioner

Through: Mr. Sitab Ali Chaudhary and Mr.
Gufran Ali, Advocates

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Through: Mr. M.K. Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **02.06.2016**

1. The petitioner is aggrieved by the letter dated 12th October, 2015, whereby Delhi Development Authority declined to convert plot bearing No.46, Pocket B, Sector 26, Rohini, Delhi – 110085 from lease hold to free hold on the ground that Court case titled ***Dinesh Pratap Singh vs. Ram Pat*** bearing RFA No.183/2009 is pending.

2. The record of RFA No.183/2009 has been perused and it reveals that a dispute with respect to the subject property is pending before this Court.

3. Clause 9 of the Delhi Development Authority's Scheme for conversion from lease hold to free hold clearly stipulates that conversion shall not be allowed until the legal dispute is settled. Clause 9 of the Scheme is reproduced hereunder:

“9. In case of any legal dispute relating to title of the property, conversion shall not be allowed until the legal dispute is settled.”

4. This Court does not find any infirmity in the Scheme declining to

convert the properties from lease hold to free hold in cases where the litigation is pending.

5. At this stage, learned counsel for the petitioner, on instructions, seeks permission to withdraw the petition with liberty to approach this Court after the decision of RFA 183/2009.

6. The petition is dismissed as withdrawn with liberty as prayed for.

7. Copy of this order be given dasti to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

JUNE 02, 2016

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