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

+ LPA 626/2016, CM APPL. No. 41852/2016

SHALINI MITTAL

..... Appellant

Through : Mr. Rajesh Srivastava, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY & ANR. .... Respondents

Through : Mr. Sanjeev Sabharwal, Standing Counsel  
with Mr. Hem Kumar, Advocate for DDA.  
Ms. Prabhsahay Kaur, ASC for GNCTD.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

% **11.11.2016**

1. Heard the learned counsel for both the parties.
2. By order dated 17.05.2016, the learned Single Judge directed DDA to consider the application of the writ petitioner/appellant herein for conversion of the flat in question from leasehold to freehold taking into consideration all the documents submitted by the Police before DDA and to communicate the decision to the petitioner.
3. Pursuant thereto, DDA passed an order dated 21.09.2016 stating that having regard to the admitted fact that the matter is pending in the court of Shri Aakash Jain, MM, Patiala House Court, New Delhi vide FIR No.8/09, P.S. Vasant Vihar, New Delhi, it would be appropriate to keep the request of the writ petitioner for conversion from leasehold to freehold in abeyance till the proceedings before the learned Metropolitan Magistrate are concluded.

4. We found that the above said order came to be passed in the light of the specific clause in the conversion policy of the Government of India that in case of any legal dispute relating to title of the flat, conversion shall not be allowed until the legal dispute is settled.

5. We, therefore, consider it appropriate to allow the appellant/writ petitioner to renew her request for conversion of the flat in question from leasehold to freehold after conclusion of the proceedings before the learned Metropolitan Magistrate vide FIR No.8/09, P.S. Vasant Vihar, New Delhi.

6. The appeal is accordingly disposed of granting leave and liberty to the appellant/writ petitioner to renew her request for conversion of the flat in question from leasehold to freehold after conclusion of the proceedings before the learned Metropolitan Magistrate vide FIR No.8/09, P.S. Vasant Vihar, New Delhi.

The order under appeal dated 26.09.2016 shall stand modified accordingly.

**CHIEF JUSTICE**

**SANGITA DHINGRA SEHGAL, J**

**NOVEMBER 11, 2016**

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