

\$~50-52

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

% Judgment delivered on: 05.05.2017

+ **W.P.(C) 2706/2017**

ARJUN KHOLI Petitioner

versus

THE ADMINISTRATOR (LT GOVERNOR
OF DELHI) AND ORS Respondents

+ **W.P.(C) 2747/2017**

DEEMAN PROPERTIES P LTD Petitioner

versus

THE ADMINISTRATOR (LT GOVERNOR
OF DELHI) AND ORS Respondents

+ **W.P.(C) 2768/2017**

JN KOHLI Petitioner

versus

THE ADMINISTRATOR (LT GOVERNOR
OF DELHI) AND ORS Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Shashwat Bajpai with Mr. Vibhor Bagga, Advocates

For the Respondents : Ms.Manvi Gola for Ms. Nidhi Raman and Ms. Isha Khanna,
Advs. for R-1
Mr. R.K. Yadav with Mr. Chetan Dutt, Advocates for R-2& 3

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

%

05.05.2017

1. The petitioners herein, seek a direction to the Land & Development Officer (L&DO) to execute the Deed of Apartment in favour of the petitioners, in terms of the directions issued by a Division Bench of this Court by its orders dated 28th May, 2010, 13th July, 2012 and 5th April, 2016 passed in Writ Petition (C) No.1959/2007 titled ***O.S. Bajpai vs. The Administrator Lt. Governor*** and other connected matters.

2. By judgment dated 13th July, 2012 in ***O.S. Bajpai*** (supra), the Division Bench has directed that in the event of the apartment owners applying to the Competent Authority (L&DO), the Competent Authority shall, after granting opportunity of hearing to the promoters/builders and after satisfying itself as to the transfer of apartment to the promoters/builders and possession thereof, pass such orders directing promoters/builders to execute and register the Deed and if the promoters/builders still defaults, execute and register the Deed itself.

3. In view of the above, the present petitions are disposed of directing the respondents to conduct the proceedings in terms of the directions given by the Division Bench by orders dated 28th May, 2010, 13th July, 2012 and 5th April, 2016 passed in the case of ***O.S. Bajpai*** (supra).

4. The respondent- L&DO shall, after giving an opportunity of hearing to promoters/builders and after satisfying itself of the conditions as stipulated by the Division Bench, take steps in accordance with law and if warranted, ensure execution of the Deed of Apartment in favour of the petitioners. In case the L&DO comes to a conclusion that the Deed of Apartment is not liable to be registered, it shall pass a speaking order and communicate the same to the petitioners.

5. The L&DO shall conclude the proceedings preferably within a period of four months from today.

6. Needless to state that in case the petitioners are aggrieved by any decision of the L&DO, they would be entitled to take such remedies, as may be available to them in accordance with law.

7. The present petitions are accordingly disposed of.

Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 05, 2017

sd

