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

+ **W.P.(C) 197/2017 & C.M.Nos.892-894/2017**

HARCHARAN SINGH BAWA AND ORS Petitioners

Through Mr.Akhil Sibal with Mr.Salim
A.Inamdar, Advocates.

versus

DELHI CANTONMENT BOARD AND ANR Respondents

Through Mr.Anchit Sharma, Advocate for R-1.
Mr.Dev P.Bhardwaj, CGSC for R-2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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10.01.2017

Present writ petition has been filed seeking a direction to the respondents to record the petitioners as co-lessees of land situated in Survey No.52/4, Shashtri Bazar, Delhi Cantonment in the general land register of Delhi Cantonment Board. Petitioner further seeks conversion of leasehold rights of petitioner in the aforesaid land to freehold.

A perusal of the paper book reveals that the petitioners' application for mutation and conversion has not been entertained by the Delhi Cantonment Board as the proposal for determination of lease in respect of Survey No.52/4 is pending consideration.

Learned counsel for respondent no.1/Delhi Cantonment Board states that the proposal for determination of the lease in question is pending before respondent no.2, Principal Director, Western Command, Defence Estates, Govt. of India.

This Court is also of the opinion that the prayer for mutation and conversion cannot be entertained till the proposal for determination of lease in respect of Survey No.52/4, Shashtri Bazar, Delhi Cantonment is decided.

Consequently, respondent no.2 is directed to take a view with regard to the proposal for determination of lease in respect of the aforesaid Survey No.52/4 as expeditiously as possible, preferably within a period of eight weeks.

The petitioners are permitted to make a representation with regard to the determination of the lease within a period of one week. In the event, the petitioners are aggrieved by the decision of the respondents, they shall be at liberty to file appropriate proceedings in accordance with law.

With the aforesaid directions, present writ petition and the applications stand disposed of. This Court, however, clarifies that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all the parties are left open.

Order *dasti*.

MANMOHAN, J

JANUARY 10, 2017
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