

\$~15

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

+ W.P.(C) 6012/2018

SMT. KAMLESH GARG

..... Petitioner

Through: Mr Ravin Rao, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Ms Anusuya Salwan, Standing
Counsel, DSIIDC with Ms Nikita
Salwan, Advocates with Mr Ashok
Kumar, Manager, DSIIDC.
Mr Sanjeev Kumar Singh, Advocate
for R-3/DDA.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **14.05.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent nos.1 and 2 to convert the industrial plot bearing no. E-796, land measuring 350 sq. mtrs., situated in the layout plan of Narela Industrial Complex, Narela, Delhi-110040. The petitioner's request for conversion was rejected by DSIIDC by an order dated 16.01.2019.

2. The petitioner's request for conversion was rejected by DSIIDC by an order dated 16.01.2019. A plain reading of the said order indicates that the DSIIDC has rejected the documents furnished by the petitioner, in view of the circular no.F.1(192)/Regn.Br./Div. Com./2012/298 issued on 27.04.2012

by DSIIDC. It has been held that in terms of the said Circular, the documents furnished by the petitioner cannot be recognised to establish acquisition of any interest or title in the property in question.

3. The aforesaid issue is squarely covered by the decision of this Court rendered today in ***Rajat Dall Mill and Ors. v. Govt. of NCT of Delhi and Ors.: W.P.(C) 5962/2018*** wherein the Court, following the decision of this Court in '***Pace Developers and Promoters v. GNCTD***', decided on **30.04.2013**, held that the said documents in each case would have to be examined and the observations made by the Supreme Court in ***Suraj Lamp & Industries (P) Ltd. v. State of Haryana: 2012 (1) SCC 656*** cannot be understood to mean that in no case, a conveyance can be registered by taking recourse to a General Power of Attorney (GPA).

4. In view of the above, the impugned order is set aside and the matter is remanded to DSIIDC to consider the petitioner's application in the light of the order passed by this Court in ***Rajat Dall Mill and Ors. v. Govt. of NCT of Delhi and Ors.: W.P.(C) 5962/2018*** decided today itself, that is, on **14.05.2019**.

VIBHU BAKHRU, J

MAY 14, 2019
MK