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

+ **W.P.(C) 3442/2011**

**HARI SHANKAR SHARMA**

.....Petitioner

Through: Mr. Amrit Pradhan and Ms. Kanchan  
Singh, Advocates.

versus

**THE REGISTRAR COOPERATIVE SOCIETIES  
GOVT OF NCT DELHI & ORS**

.....Respondents

Through: Ms. Hetu Arora Sethi, ASC with  
Mr.Arjun Basra, Advocate for Respondent No.1.  
Respondent No.3 in person (through VC).

**CORAM:  
HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**  
**16.12.2024**

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**CM APPL.33633/2024**

1. This is an application preferred on behalf of the Petitioner for revival of the writ petition which was adjourned *sine die* vide order dated 02.12.2014 awaiting the outcome of the SLP(C) pending before the Supreme Court. It is stated that Supreme Court has vide order dated 10.11.2023 disposed of the SLP(C) bearing No.11415/2014 and therefore, the writ petition be revived.
2. In view of the decision of the Supreme Court, the application is allowed and the writ petition is revived and taken up for hearing.
3. Application stands disposed of.

**W.P.(C) 3442/2011 and CM APPL. 4377/2014**



4. This writ petition was filed on behalf of the Petitioner challenging the impugned order dated 20.01.2011, whereby the learned Financial Commissioner held that Respondent No.3 herein was owner of half portion of property bearing No.C-230, Anand Vihar, New Delhi, and therefore, be enrolled as a joint member of Respondent No.2/Railway Board Employees Cooperative Housing Society.

5. During the pendency of the writ petition, Petitioner and Respondent No.3 have settled the matter before the Supreme Court in SLP(C.) No.11415/2014 and as recorded in the order of the Supreme Court on 10.11.2023, Respondent No.3 has given an affidavit acknowledging receipt of Rs.1.25 Crores in terms of order dated 19.05.2023 of the Supreme Court as also stating that neither he nor his legal heirs including his son Sh. Dinesh Sharma will have any claim over the said property and Respondent No.3 shall give no objection for conversion of the plot from leasehold to freehold as also to revival of this writ petition. Copies of the order of the Supreme Court and the affidavit filed before the Supreme Court have been placed on record by the Petitioner.

6. Respondent No.3 has joined Court proceedings virtually and is identified by his identity card which has been handed over to the Court by the Petitioner. He acknowledges the settlement before the Supreme Court as also receipt of Rs.1.25 Crores and reiterates that he has no objection to the entire subject property being mutated in the name of the Petitioner and that he will have no objection for its conversion to freehold.

7. In view of the settlement between the parties, terms of which have been complied with, this writ petition is allowed setting aside the impugned order dated 20.01.2011 and declaring the Petitioner to be the owner of the



subject property in question. It will be open to the Petitioner to take recourse to further process for mutation and/or conversion as per law.

8. Pending application also stands disposed of.

**JYOTI SINGH, J**

**DECEMBER 16, 2024**

*B.S. Rohella*