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

+ **W.P.(C) 6335/2025**

MANOJ GULSHAN AND ANR

.....Petitioners

Through: Mr. Kirish Gandhi, Adv. with
petitioner in person.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.....Respondents

Through: Mr. Sanjay Vashishtha, Standing
Counsel (Civil), GNCTD with Mr.
Siddharth Karnawat and Mr.
Siddhartha Goswami, Advs. for DDA
Ms. Shilpa Ohri, ASC for MCD

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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13.05.2025

CM APPL. 28903/2025 & CM APPL. 28904/2025 (exemptions)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 6335/2025 & CM APPL. 28902/2025

3. The present petition has been filed seeking following relief:

“A. Issue a writ of Mandamus, directing Respondent No. 1 DDA, to decide the Petitioners' pending Freehold Conversion Application(s) dated No. F/20/001180 and 15.04.2019, at the earliest in accordance with law and within time bound period and execute Conveyance Deed in favour of Petitioner with regard to Ground Floor Rear Flat along with areas of entire ground floor rear as detailed in title documents of Petitioners, in property bearing number



A-9/20, Vasant Vihar, New Delhi-110057.

B. Issue any appropriate Writ, Order or Direction and Quash illegally issued Conveyance Deed dated 27.10.2021 by Respondent No. 1, in favour of Respondent No. 6, conveying Ground Floor Rear instead of Upper Ground Rear Flat (Mezzanine Floor) of Respondent No 6, both parties being aware that legally freehold conveyance cannot be issued to the Mezzanine floor independently and thus committed statutory fraud.

C. Issue a Writ of Certiorari, or any other appropriate writ, order or direction quashing non-speaking Jetter dated 25.09.2024 issued by Respondent No 1 (DDA) whereby its Show Cause Notice dated 07.03.2024 issued against Respondent No. 6, is withdrawn without assigning any reason and without proper adjudication.

D. Issue any appropriate Writ, Order or Direction calling action taken report from Respondent No 4, Central Vigilance Officer - DDA (CVO-DDA), regarding fraud perpetuated inter alia Non-Est Conveyance Deed dated 27.10.2021 and the forged / fabricated Site inspection Report(s) dated 03.04.2024 and 03.09.20 to mislead and misrepresent facts which is writ large.

E. Issue a Writ of Certiorari, or any appropriate Writ, Direction, Order to Respondent Nos 1 and 2 to Quash its false and fabricated Site Inspection Report(s) dated and 03.09.2024, contra to settled position vide 'Joint Report R-1' relied/filed before this Hon'ble Court and are contra Site Inspection Report D/473/EE(B)-1/BLDG/SZ/2024 date 28.06.2024, filed before Respondent No 1 and for basing impugn Report on wrong facts; inapplicable 2016 building bye laws inter alia 1996 constructed Upper Ground Rear Flat.

F. Issue any appropriate Writ, order or direction calling



action taken reports from Respondent No 5 (Crime Branch), regarding documents/records of Petitioners lost by Respondent No 1 (DOA) qua lodged Information Report LR. No. 774919/2019 dated 05.03.2019, by Respondent no 1 with Respondent No 5.

G. Issue a writ of Certiorari, or any other appropriate writ, order or direction to Respondent no3, to quash non-est sale deed dated 30.12.2021, whose foundation is based on void ab-initio conveyance deed dated 27.10.2021 and is beyond what was provided in the non-est conveyance deed.

H. Issue any appropriate Writ, order or direction commanding C.B.I. or any independent agency or authority to enquire and investigate working of Respondent No. 1, especially circumstances and manner in which non-est conveyance deed dated 27.10.2021 was executed by Respondent No 1, based on a forged / alleged power of attorney, executed posthumously by original owner/sub-Lessee Smt. Shama Prabha Anand, a deceased person since 14.01.2002, besides various other illegalities.

I. Issue any appropriate writ, order or direction in the nature of prohibition directing respondent not to encumber or disturb in any manner right, title and interest of Petitioners in the Ground Floor Rear Flat and compete areas around it as described in title documents in this petition, in property bearing number A 9/20, Vasant Vihar, New Delhi which are in exclusive possession of Petitioners since last 28 years.”

4. The learned counsel appearing on behalf of the petitioner at the outset submits that he will not press the present petition any further in case the direction is given to the DDA to treat the present writ petition as representation and dispose of the same in a time bound manner.

5. The learned counsel appearing on behalf of the respondent no.1/DDA



submits that he has no objection in case such directions are passed.

6. In light of the above, without going into the merits of the case, it is directed that the DDA shall treat the present writ petition as representation of the petitioner and the same shall be disposed of by a speaking order within a period of eight weeks from today.

7. The order so passed shall be communicated to the petitioners, as well as, to their counsel within two weeks thereafter.

8. With the aforesaid directions the petition stands disposed of.

VIKAS MAHAJAN, J

MAY 13, 2025
N.S. ASWAL