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

+ **W.P.(C) 12519/2023**

SMT PRATIBHA KHATRI AND ANR.

.....Petitioners

Through: Mr. Ravin Rao, Mr. Akshit Sawal, Mr.
Ayan Sharma, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Ms. Mehak Nakra (ASC) along with
Mr. Aditya Goyal, Ms. Gunjan Goyal,
Advs. for R-1
Mr. Anuj Chaturvedi, Ms. Richa
Dhawan, Ms. Harshita Maheshwari,
Mr. Pawan Karan Deo, Advs. for
DSIIDC
Mr. Anish Dhingra, Mr. Nakul Ahuja
for R-3

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

15.01.2025

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1. The present petition assails an order dated 17.02.2020 passed by the respondent no.2 whereby the petitioner's application for conversion (from leasehold to freehold) of its industrial plot bearing no. H-1446, land measuring 350 SQ. mtrs., situated in the layout plan of Narela Industrial Complex, Narela, Delhi-110040, has been rejected.
2. The petitioners also seek that the respondent no.2 be directed to refund the conversion charges paid by the petitioner amounting to Rs. 18,08,286/- along with 15% interest per annum from the date of its payment till date of refund.
3. In the counter-affidavit filed on behalf of the respondent no.2, it has been averred as under:-

“14. That at the time of rejection of the conversion application of the Petitioners the aforesaid Circulars of DDA were not made



*applicable to the Respondent No.2 That, however, subsequently, the Hon'ble Lieutenant Governor has given his consent for adoption of aforesaid circulars for the purpose of processing conversion applications for conversion from leasehold to freehold and the same has been circulated vide Circular dated 18.09.2023. That copy of Circular dated 18.09.2023 is annexed herewith as **Annexure R-4**"*

4. Accordingly, learned counsel for respondent no.2 submits that in terms of the extant policy which has now been made applicable to the respondent no.2, it is possible to consider the petitioner's request for conversion of plot from leasehold to freehold, if the petitioners chooses to exercise that option.
5. After some hearing, learned counsel for the petitioners seeks to file a fresh application with the respondent no.2 for conversion of the plot from leasehold to freehold. He further requests that since an amount of Rs. 18,08,286/- has been deposited with the respondent no.2 since 28.03.2012, for the purpose of the application proposed to be filed by the petitioners, credit of the said amount, along with reasonable interest thereon for the period for which the amount has remained deposited with the respondent no.2, be granted to the petitioners. *Prima facie*, the said contention appears to be reasonable. The concerned authority is requested to consider the said request, and also take an expeditious decisions on the application proposed to be filed by the petitioners for conversion of the aforesaid plot from leasehold to freehold.
6. The present petition is disposed of in the above terms.
7. It is made clear that if the petitioners are aggrieved by the outcome of the aforesaid exercise, they shall be at liberty to avail appropriate remedies under law.

SACHIN DATTA, J

JANUARY 15, 2025/uk