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

+ **W.P.(C) 17410/2025**

SHARMISTHA PAL @ SHARMISTHA MAJUMDARPetitioner

Through: Mr. Anurag Pandey and Ms. Reeha Pandey, Advocates.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Mr. G.S. Oberoi and Mr. Varun Mathur, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **17.11.2025**

CM APPLs. 71961/2025, 71962/2025 (Exemptions)

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

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3. This writ petition is filed on behalf of the Petitioner seeking the following reliefs:-

“a) issue a writ in nature of mandamus directing the respondent DDA to consider the e-application of petitioner i.e. Id-LD11261OSB/CON/18082021, File No. F- 205/561/1986/LABR for conversion and free hold of ground floor and second floor alongwith terrace above second floor of the property bearing no. 40/205, Chittarajan Park, New Delhi, without any DEI or any penalty;

b) Issue a writ in nature of mandamus directing the respondent DDA to consider the representation of petitioner dated 05.08.2025 and the prayer of petitioner for conversion! free hold of the property mentioned in para (a) of the prayer.”

4. As set out in the petition, case of the Petitioner is that a Perpetual



Lease Deed was entered into between DDA and one Sh. Syam Sunder Pal and Smt. Sudha Pal, father and mother of the Petitioner on 20.04.1992, in respect of residential property bearing No. 40/205, admeasuring 126.48 sq. yards, Chittaranjan Park, New Delhi-110019 ('suit property'). Father of the Petitioner expired on 06.10.2002 leaving behind his wife, daughter i.e., Petitioner herein and son.

5. It is stated that Petitioner filed a suit bearing CS No. 245/2013 before this Court seeking partition, permanent injunction and rendition of accounts in respect of the suit property, which was later transferred to Saket Court and renumbered as CS No. 7125/2016. The suit was decreed on 15.05.2018, partitioning the suit property as follows:-

- (i) Plaintiff-1/3rd share of 50% of suit property;
- (ii) Defendant No. 1-1/3rd share of 50% of suit property; and
- (iii) Defendant No. 2-50% (already owned) + 1/3rd share of remaining 50% of suit property.

6. It is stated that judgment/decreed was challenged by brother of the Petitioner in RFA No. 563/2018, which was dismissed by this Court on 23.07.2018 and no further appeal was filed. The suit property was very old and it was not possible to divide the same physically by metes and bounds and therefore, parties filed their valuation reports, which did not match and finally vide order dated 09.08.2018, Trial Court called for valuation report from SDM, which was filed on 30.10.2018 and accepted by the parties and accordingly, Petitioner agreed to pay Rs. 45,54,150.94/- to her brother. The agreement between the parties was recorded by the Court on 30.10.2018. In order dated 05.11.2018, Court recorded that mother of the Petitioner had no objection to payment of valuation amount payable by the Petitioner to her



brother as she had already executed a registered Will in favour of the Petitioner on 15.06.2012 and on the same day, Petitioner paid Rs. 5,00,000/- to her brother. Decree sheet was drawn up on 30.11.2018, recording that Petitioner had purchased 16.66% share of her brother after paying the requisite consideration and consequently, her brother was left with no right, title or interest in the suit property and Petitioner became owner of 33.33% share and her mother 66.66% share. Settlement was recorded between the parties on the same day.

7. It is stated that mother of the Petitioner executed a registered Relinquishment Deed dated 08.03.2019 in favour of the Petitioner and by virtue of this document, Petitioner has become the sole owner of the suit property. Accordingly, Petitioner applied online on 16.03.2020 with DDA for mutation of the property in her name followed by an application on 19.03.2020 for conversion and also paid conversion charges to the tune of Rs. 52,360/- by Cheque bearing No. 00011178 drawn on HDFC Bank, in favour of DDA. DDA failed to consider the application and Petitioner sought refund of the charges paid with respect to ground floor and second floor of the suit property, which was refunded on 06.09.2021. Petitioner applied again for conversion to freehold on 06.09.2021 and paid a sum of Rs. 43,902/- on the same day followed by submission of requisite documents on 19.04.2022.

8. It is stated that DDA rejected the application on 05.06.2023 on the ground of insufficient document as also for the reason that Petitioner has purchased the share of her brother through judicial proceedings, which needed to be resolved. Petitioner repeatedly represented for conversion but to no avail and in the meantime, her mother expired on 28.02.2024. Later,



Petitioner submitted some more documents on 14.05.2024 as requisitioned by DDA but till date the application has not been processed, compelling the Petitioner to approach this Court.

9. Issue notice.

10. Mr. G.S. Oberoi, learned counsel accepts notice on behalf of the Respondent.

11. From the detailed narrative captured in the writ petition, it is clear that the application filed by the Petitioner for conversion of the suit property from leasehold to freehold is still pending consideration after requisite documents sought by DDA were furnished by Petitioner. It is the stand of the Petitioner that requisite conversion charges have been deposited and all documents sought, have been submitted. DDA has, however, neither allowed nor rejected the application and the reason for this silence and inaction is not forthcoming as no decision has been communicated till date to the Petitioner. This Court also does not have the benefit of the reason why the application for conversion is pending till date without any action. In these circumstances, it would be appropriate to direct DDA to process the application for conversion and take a decision thereon.

12. Accordingly, without entering into the merits of the case, this writ petition is disposed of directing DDA to decide the application for conversion within a period of six weeks from today. Needless to state that while deciding the application, the points highlighted by the Petitioner in the present petition, including references to the judicial orders as also the Relinquishment Deed executed by the mother of the Petitioner will be taken into consideration. In case the application is allowed, necessary communication will be sent to the Petitioner within a week from the



decision. In the event the decision is otherwise, reasoned and speaking order shall be passed by DDA and communicated to the Petitioner, who shall be at liberty to take recourse to legal remedies.

JYOTI SINGH, J

NOVEMBER 17, 2025
S.Sharma