

13.03.2026

Present : Sh. Inderpal Khokhar, Ms. Simran Khokhar
Sh.Gaurav Solanki, Sh. Hemraj Murmu and
Ms.Neha, Ld. Counsels for the appellant.

Sh. Naresh Sharma, Ld. Counsel for the
respondent/DDA along with Sh. Sachin Meena,
JSA, DDA.

The concerned Dy. Director (LAB/LIG)/H, DDA,
Vikas Sadan, New Delhi has not filed the affidavit in terms of the
direction passed on 24.01.2026 and the Ld. Counsel appearing
for the respondent/DDA submits that the said officer is not
available today as he has gone for his wife's medical emergency.

The present matter pertains to the year 2022 and an
application u/s 151 CPC for compliance of order dated
17.10.2025 along with the status report was filed on behalf of the
respondent/DDA. The said status report is signed by Mr. Avinash
Singh, Dy. Director (LIG)-H, DDA, Vikas Sadan, INA, New
Delhi, UID No. 0103893, wherein it is informed that their office
had issued letters to the Dy. Director (LM), North Zone (Pitam
Pura), who is the current Estate Officer for the concerned
jurisdiction and to Estate Officer (H)-NZ at Vikas Minar, the then
Estate officer was posted at Vikas Minar at the time of eviction
order dated 25.03.2009 and that the relevant file/record is not
traceable in their branch despite re-checking and the letter sent to
the Estate Officer (H)-NZ at Vikas Minar was received back
undelivered.

Ld. Counsel for the respondent/DDA submits that the property in question i.e. Flat No. 305, Ground Floor, LIG, Jahangir Puri, Delhi-110033 was allotted to Mr. Ved Prakash and the possession of the said flat is presently with the DDA after cancellation of its allotment. It is further submitted that quantum of restoration charges, compensation charges, penalty for misuse etc. cannot be quantified unless the allotment is restored.

Ld. Counsel for the appellant submits that the cancellation of allotment has never been communicated to the original allottee or to the appellant and that the charges for conversion of the said flat had already been received by the DDA in the year 2010 but the status of the said conversion has not been disclosed by the respondent/DDA despite repeated directions.

Perusal of the record also shows that vide letter dated F.35(206)89/LAB(H)/ND dated 16.08.2010, the Asstt. Director, LAB (Housing), DDA, had communicated to Mr. Jai Bhagwan i.e. Attorney of the original allottee informing him that the main allotment file was not traceable and he (Jai Bhagwan) was called to produce the documents for consideration of the request for freehold conversion/mutation/transfer/refund etc. An amount of Rs. 41,800/- was also received by the respondent/DDA vide Challan No. 95890 on 01.09.2009 for freehold conversion of the flat in question.

Vide order dated 24.01.2026 of this Court, an explanation was sought from Dy. Director (LAB/LIG)/H, DDA, Vikas Sadan, New Delhi, qua the records pertaining to sealing, conversion status etc. regarding the said flat/property in question. However, the same is not forthcoming till date. The main

allotment file was not traceable even in 2010 as per respondent's own aforementioned communication dated 16.08.2010. The relevant file/record is stated to be still not traceable even as per the status report filed before this Court along with an application for compliance of order dated 17.10.2025.

If the relevant file/record is not traceable despite re-checking and the records are not available or missing from DDA records for more than a decade then appropriate departmental and legal action is warranted against the concerned officials. A copy of the above status report, this order and the proceedings dated 24.01.2026 be sent to the Office of Commissioner (Housing), DDA, INA Vikas Sadan, New Delhi, to look into the patent callousness, negligence or complicity on the part of its officials and an affidavit regarding particulars/details of the orders of sealing of the property in question and allotment cancellation be filed within three weeks with advance copy of the same to the opposite side.

Put up for further proceedings/arguments on **28.04.2026.**

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
13.03.2026 (dv)