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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3146/2023 & CM APPLs. 12174/2023, 12175/2023, 12176/2023**

UDHO DAS & ANR.

..... Petitioner

Through: Mr. Ravinder Sethi, Sr. Advocate
with Mr. Puneet Sharma, Advocate.

Versus

DELHI URBAN SHELTER IMPROVEMENT
BOARD

..... Respondent

Through: Mr. Parvinder Chauhan & Aakriti
Garg, Advocates for DUSIB. [M:
8077154576]

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **15.03.2023**

1. This hearing has been done through hybrid mode.

CM APPL. 12176/2023 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(C) 3146/2023 & CM APPLs. 12174/2023, 12175/2023

3. The Petitioner's case is that the sealing of the property bearing no. 136, Sunlight Colony 2, Delhi-110014 ("*hereinafter, subject property*") is not tenable and the order passed by this Court in **W.P.(C) 2459/2020** titled **Udho Das v. SDMC & Anr** dated 14th December 2022 has not been complied with.

4. Mr. Ravinder Sethi, Id. Sr. counsel for the Petitioner relies upon the record of proceedings of the DUSIB dated 30th June, 2022 to argue that only on the ground that the signatures of the lessee on the GPA/ agreement



to sell do not match, their prayer for de-sealing of the subject property has been rejected.

5. Issue notice. Mr. Chauhan, Id. Counsel accepts notice for DUSIB.

6. Mr. Chauhan, Id. Counsel submits that, firstly, the writ is not maintainable as the order is appealable. He further submits that the Petitioner has not applied for regularisation or for recognition of the GPA/ Agreement to sell including conversion in terms of the Conversion Policy of DUSIB.

7. Mr. Sethi, Sr. Id. counsel, on the other hand, prays for de-sealing of the subject property on the strength of the minutes in the note sheet dated 11th September, 2016. A copy of the same has been placed on record after obtaining it through RTI.

8. Let the counter affidavit be filed within six weeks. The counter affidavit of the DUSIB shall deal with the specific note sheet which has been relied upon by the Petitioner as Annexures along with note sheets which have been placed on record. The DUSIB shall also specifically stated as to whether a decision was taken to de-seal this property. Rejoinder, thereto, be filed within four weeks.

9. In the meantime, the Petitioner is permitted to apply for conversion of the subject property from leasehold to freehold within a period of two weeks which shall also be processed in accordance with the applicable policy and a decision in this regard shall be taken and placed on record by the next date of hearing.

10. The original file of DUSIB, which contain the note sheets annexed by the Petitioner, relating to the subject property, shall be kept ready on the next date of hearing for the perusal of the Court.



11. List before Registrar on 4th May, 2023.
12. List before Court on 4th August, 2023.

MARCH 15, 2023
dj/kt

PRATHIBA M. SINGH, J.