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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010097932020
+ **W.P.(C) 924/2020 & CM APPL. 6027/2021**
VED PRAKASH SHARMAPetitioner
Through: Mr. Vikrant Goyal, Adv.
versus
DELHI DEVELOPMENT AUTHORITY & ANRRespondents
Through: Mr. Sanjay Katyal, Standing Counsel
for DDA with Ms. Kritika Gupta Adv., Mr.
Nitish Kumar Danda Adv.

19

CNR No. DLHC010119762020
+ **W.P.(C) 1591/2020 & CM APPL. 6022/2021**
SHARMISHTHA SHARMAPetitioner
Through: Mr. Vikrant Goyal, Adv.
versus
DELHI DEVELOPMENT AUTHORITY & ANRRespondents
Through: Mr. Sanjay Katyal, Standing Counsel
for DDA with Ms. Kritika Gupta Adv., Mr. Nitish
Kumar Danda Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **10.08.2026**

1. These are writ petitions filed under Article 226 of the Constitution of India seeking the following respective prayers:-

“W.P.(C) 924/2020

a) issue a Writ of Mandamus to issue directions to the Respondent to allow conversion from lease hold to freehold for Space No. 124 on First Floor of commercial Plot No. 3 in the layout plan of Janakpuri Distt. Centre, situated at Janakpuri, New Delhi admeasuring superarea



of 437 Sq. Ft. and consequently issue and execute conveyance deed for the same.

b) issue a Writ of Mandamus to issue direction to the Respondent to pay the cost of litigation of the present petition to the petitioner. ...

W.P.(C) 1591/2020

a) issue a Writ of Mandamus to issue directions to the Respondent to allow conversion from lease hold to freehold for Space No. 121 on First Floor of commercial Plot No. 3 in the layout plan of Janakpuri Distt. Centre, situated at Janakpuri, New Delhi admeasuring superarea of 437 Sq. Ft. and consequently issue and execute conveyance deed for the same.

b) issue a Writ of Mandamus to issue direction to the Respondent to pay the cost of litigation of the present petition to the petitioner.....”

2. The brief facts of these cases are that the petitioners are owners of spaces in commercial Plot No. 3 in the layout plan of Janakpuri District Centre situated at Janakpuri and are seeking execution of conveyance deeds in their favour.
3. When the petitions were filed, the respondents had not considered the conversion applications of the petitioners.
4. After filing of the present petitions and during the pendency of the petitions, the conversion applications of the petitioners were rejected by the respondent No. 1/DDA. Hence, the petitioners sought amendment of the petitions to challenge the rejection orders.



5. Mr. Katyal, learned standing counsel for the respondent No. 1/DDA, draws my attention the counter affidavit, wherein it has been stated as under:-

“It is further submitted that the subject space unit can be considered through policy under Delhi Apartment Ownership Act for which an online application can be filed by the Applicant / Petitioner on the Answering Respondent’s website

i.e.

<http://119.226.139.196/deedofapartment/Forms/AdminLogin.aspx>. for execution of deed of apartment. The relevant portion of the aforesaid policy is reiterated here below:

... (i) The Deed of Apartment will be executed only after realization of pro-rata charges in respect of each flat/apartment/commercial unit in the building.

(ii) In case of re-entered properties, DDA in the first instance, will notify the charges/penalties for withdrawal of re-entry to all the flat/apartment/commercial unit owners and based on the calculation of the outstanding charges/penalties for the entire building. It will be open to individual flat/apartment owner to pay the same towards their respective flat/apartment on pro-rata basis upon which the re-entry will be withdrawn with the approval of Vice Chairman, DDA in respect of the flat/apartment and the Deed of Apartment will be executed, subject to the completion of other formalities as the case may be.



(iii) Where the multi-storied building is constructed on a plot which was transferred on leasehold tenure, the flat/apartment space/unit owners will also be considered as “lessee” in respect of their individual unit and will be governed as per the original set of lease administration/office orders apart from such other terms and conditions, which may have been communicated to the original lessee till the completion of construction of multi-storied buildings which has since been erected on such plot on question.

(iv) In case the recorded lessee opts to approach DDA for conversion of entire building along with land underneath from leasehold to freehold at any later point of time, the same will be allowed only after recovery of all government dues as applicable in such cases. The conversion of property into freehold will be carried out in the name of recorded lessee subject to the condition that he will transfer the freehold rights in land underneath of the building. For this purpose the lessee will be required to furnish an undertaking of the building to this effect with DDA before issue of Conveyance Deed by this office.

(v) In the event where the lessee/builder/promoter/developer is not available or not coming forward to get the allotted land converted into freehold or to execute Deed of Apartment in favour



of individual flat/apartment owners, then individual flat/apartment owner may directly approach the DDA for execution of the Deed of Apartment and also for conversion of his individual unit into freehold at a later stage.

(vi) In the event where the lessee/the builder/promoter/developer is not available and where the lessee/builder/promoter/developer are not coming forward to get the allotted land converted into freehold, then the apartment owners may approach to the Competent authority for execution of deed of apartment/Conveyance Deed, as the case may be.

(vii) The applicant is also required to give undertaking to the effect that:

(a) He / She will pay the updated dues in respect of their shop/unit/flat/apartment including pro-rata charges for the common area as and when demanded by DDA.

(b) He / She will use the shop/unit/flat/apartment as per the provision of the building bye laws / T&C of the perpetual lease/title document (i.e. Builder Buyer Agreement/license Deed/Flat Buyer Agreement etc.) and in accordance with the terms and conditions stipulated by the DDA from time to time while granting permission of construction of multi-storied buildings, failing



which the lessor has right to re-enter the individual shop/unit/flat/apartment/space. The Performa of undertaking is attached as annexure-I.

(viii) The applicant i.e. shop/unit/flat/apartment owner is required to furnish an affidavit sworn before First class Magistrate as per Annexure-II.

(ix) That the applicant while applying for Deed of Apartment will furnish the address and other details of the Lessee Builder Promoter / Developer to enable Delhi Development Authority for the purpose of sending mandatory notice to them and ask to be present for signing tripartite Deed of Apartment. The applicant will be first Party, Lessee/Promoter/Builder/Developer will be Second Party and DDA will be the Third Party to this Deed of Apartment.

(x) The Lessee/Builder/Promoter/Developer will be given 30-days' time to respond/object to the notice given by DDA and in case no communication is received within that time, steps for execution of Deed of Apartment directly to the Apartment owner will be initiated by DDA.

2. The Apartment purchase or owner is required to apply for execution of Deed of Apartment/flat/space/unit in the prescribed performa giving detailed information as sought and also affix attested recent passport size photograph on



application form. A attested copy of the latest Identification proof and address may also be attached along-with the application form. A copy of the prescribed performa is attached as Annexure-III. The Format for execution of Deed of Apartment has been uploaded in the DDA website...”

6. He states that the petitioners need to apply under the relevant policy mentioned hereinabove. He further states that the application window for conversion under the policy at present is closed.
7. Mr. Goyal, learned counsel for the petitioners, states that the present petitions may be treated as representations.
8. I am of the view that the present petitions, along with proposed amendments, shall be treated as applications for conversion under this policy, and as and when the respondents commence conversion under the policy, the representations of the petitioners shall be considered in accordance with extant rules, regulations and the policy dated 13.12.2019.
9. The respondents shall be at liberty to call upon the petitioners for clarification of any deficiencies in documents.
10. The petitions are disposed of in the aforesaid terms.

JASMEET SINGH, J

AUGUST 10, 2026 / (MS)