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

+ **W.P.(C) 7057/2014 and CM Nos. 45427/2016 & 30889/2017**

M/S P & S (INDIA) CORPORATION & ANR. Petitioners

Through: Mr Rahul Srivastava and Ms Alinda
Bhowal, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ANR. Respondents

Through: Mr Gautam Narayan, ASC with Mr
R.A. Iyer, Advocate for R-1.
Mrs Renuka Arora and Ms Nikita
Salwan, Advocates for R-2/DSI IDC.
Mr Vijeet Singh, Divisional Manager
(IEM) from DSI IDC in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **09.11.2017**

1. The learned counsel appearing for respondent no. 2 (hereafter 'DSI IDC') states that sub-letting has been removed with effect from 01.07.2017. On the said basis, the charges have been reworked. The learned counsel for DSI IDC also handed over a letter dated 06.10.2017, which indicates that sub-letting charges of ₹8,14,100/- are outstanding. The said charges are for the period of 01.08.2011 to 30.06.2017. Mr Srivastava, learned counsel appearing for the petitioner states that the said amount shall be paid within a period of two weeks from today.

2. On the aforesaid payment being made, the only issue that would remain would be regarding the interest on sub-letting charges, which according to DSI IDC, work out to be ₹47,11,231/-. In addition, DSI IDC also



claims ₹8,10,138/- as interest on H.P. Cost.

3. Mr Srivastava states on instructions that the said interest would also be paid without prejudice to the rights of the petitioners to recover the excess interest as according to petitioners, the interest rate chargeable is 6% per annum and the interest claimed by DSIIDC has been calculated at 18% p.a.

4. In view of the aforesaid statement, it is directed that if the petitioners pays the amount as demanded by the letter dated 06.10.2017, that is, ₹63,35,469/- within the period of two weeks from today, DSIIDC shall restore the lease and take further steps for conversion of the property to freehold on the petitioners making an application for the same. The said application shall be considered and processed as per DSIIDC's current policy. It is clarified that this is without prejudice to the rights of the petitioners to recover the amount of interest, which accordingly to them is in excess of the interest payable.

5. List on 14.12.2017.

6. Order *dasti*.

VIBHU BAKHRU, J

NOVEMBER 09, 2017
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