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

+ RFA 742/2018 & CM No.36107/2018

COL (DR) PRITPAL SINGH GADHOK Appellant
Through Mr.Vinay Sabharwal, Adv.

versus

JATINDER KAUR NANDA & ORS Respondents
Through Ms.Bharti Kochhar, Adv. for R-1.
Mr.Pawan Kumar, Adv. for R-2 & 3.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **27.05.2019**

At the outset, Ms.Kochhar, learned counsel for the respondent no.1 submits that the appellant is not rendering his assistance for making an application to the DDA for getting the property converted to freehold and have the same mutated in favour of the parties.

Mr.Sabharwal, learned counsel for the appellant denies the said allegation and assures the Court that the appellant has been, and is still willing, to co-operate in getting the property converted into freehold. He submits that the appellant will sign the requisite documents within one week from today. He, however, submits that even though in terms of the order dated 05.09.2018, the parties have to also make an effort to have the property re-built by collaborating with a builder, the respondents are not co-operating on that account.

Ms.Kochhar, learned counsel submits that once the property is



converted to freehold and is mutated in the name of the parties, the respondents are willing to explore the possibility of entering into a collaboration agreement with a builder. She, however, submits that the builder has to be mutually identified by both parties.

Mr.Sabharwal, learned counsel for the appellant submits that the appellant had already approached a builder/collaborator by the name of M/s Uppal Builders, which builder is willing to construct the property in collaboration with the parties. While learned counsel for the respondent nos.2 & 3 submits that they have also replied to the said proposal of the appellant, Ms.Kochhar, learned counsel for respondent no1 submits that as per her information, M/s Uppal Builders is not interested in building the said property which averment is disputed by learned counsel for the appellant.

It is expected that by the next date, the parties will not only take expeditious steps for getting the property converted into freehold and mutated in their name, but also jointly sit down and try to make efforts to have a collaboration which is acceptable to all the parties.

At request, list on 17.09.2019.

REKHA PALLI, J

MAY 27, 2019/aa