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

Date of decision: 7th September, 2026

Uploaded on: 9th September, 2026

CNR No. DLHC010272212026

+ **CONT.APP.(C) 15/2026 & CM APPL. 40235/2026**

DELHI DEVELOPMENT AUTHORITYAppellant

Through: Ms. Mrinalini Sen, Standing Counsel
for DDA with Ms. Gauri Rajput, Advs.

versus

MALA SAHNI SETH & ANR.Respondents

Through: Mr Chetan Sharma, ASG with Mr.
Ashish K Dixit, CGSC with Mr. Umar
Hashmi & Mr. Ayush Kumar Advs.
UIO / MOHUA /L&DO
Mr. Saurabh Seth, Mr. Sukrit Seth, Ms.
Neelampreet Kaur, Mr. Abhiroop
Rathore, Mr. Kabir Dev and Mr
Sukhvir Singh, Advs. for R-1 & 2.
Mr. Rajveer Pandey, Government
Counsel (GP) for Respondent/Union
of India.

WITH

39

CNR No. DLHC010398742025

+ **W.P.(C) 9034/2025 & CM APPL. 59809/2026, CM APPL.
60136/2026**

KANTA RANI

.....Petitioner

Through:

versus

**REGISTRAR OF COOPERATIVE SOCIETIES
& ORS.**

.....Respondents

Through: Mr Chetan Sharma, ASG with Mr.
Ashish K Dixit, CGSC with Mr. Umar
Hashmi & Mr. Ayush Kumar Advs.
UIO / MOHUA /L&DO
Mr. Rajveer Pandey Government



Counsel (GP) for Respondent Union
of India (MoHUA)

Ms. Manisha Agrawal Narain, CGSC
for Union of India

Mr. C.M. Rao, Senior Advocate with
Ms. Mrinalini Sen, Standing Counsel
for DDA, Ms. Gauri Rajput, Adv.

WITH

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CNR No. DLHC010888302025

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W.P.(C) 17229/2025

MEENAKSHI AUPLISH

.....Petitioner

Through:

versus

REGISTRAR OF CO OPERATIVE SOCIETIES
& ORS.

.....Respondents

Through: Mr Chetan Sharma, ASG with Mr.
Ashish K Dixit, CGSC with Mr. Umar
Hashmi & Mr. Ayush Kumar Advs.
UOI / MOHUA /L&DO

Mr. Rajveer Pandey Government
Counsel (GP) for Respondent Union
of India (MoHUA)

Ms. Urvi Mohan, Adv. for RCS

AND

41

#

CNR No. DLHC010071932026

+

W.P.(C) 2651/2026

SANJIV GUPTA

.....Petitioner

Through:

versus

THE REGISTRAR OF COOPERATIVE SOCIETIES
AND ORS

.....Respondents

Through: Ms. Urvi Mohan, Adv. for RCS



CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. In these petitions, the issue relating to the DDA's portal for conversion of immovable properties from lease hold to free hold is being considered. The said portal has been taken down since February 2026 – leading to a situation wherein all applications have been kept on hold.
3. On the last date *i.e.*, 30th July, 2026, the Court had directed for a meeting to take place between the Secretary, Department of Capital Development, MoHUA and DDA, as also any other Ministries as may be necessary.
4. The minutes of the meeting dated 14th August, 2026 have been placed on record. The said meeting is stated to have been attended by the following persons:

List of Participants :

From Ministry of Housing and Urban Affairs (MoHUA)

- 1 . M . D. Thara, Secretary, Department of Capital Development – On Chair
- 2 . Shri Manjesh Porwal, Deputy Secretary (DD-II)
- 3 . Shri Sanjay Kumar Upadhyay, Deputy Secretary (DD-I)
4. Shri Vinay Kumar, Under Secretary (DD-V)

From Delhi Development Authority (DDA)

- 1 . Shri N. Sarvana Kumar, Vice Chairman, DDA
2. Shri Ravi Shankar, Pr. Commissioner (LD)



3 . *Dr. Mannan Akhtar, Commissioner (LD)*

4. *Shri Abhishek Anand, CAO*

5. *Shri Sahil Garg, Director (LC)*

6. *Shri A. K. Jaini, Dy. CAO (LC)*

From Land and Development Office (L&DO)

1 . *Shri Shyam Lal Poonia, L&DO*

2. *Shri Ankur Kumar Lal, Dy. L&DO*

From Department of Revenue, Ministry of Finance

1 . *Shri Hemraj Meeua, Under Secretary*

5. A perusal of the said minutes would show that despite the previous order dated 31st July, 2026 spelling out the difficulties which are being faced due to non-processing of conversion applications from leasehold to freehold, no substantive decision has been taken by the MoHUA, DDA or L&DO. The relevant extract of the Minutes reads as under:

“4. Discussion on Simplification of Documentation: *It was deliberated at length on simplification of the documentation required from applicants at the time of freehold conversion. It was noted that:*

- A number of documents presently prescribed are duplicative in nature and required information already available with DDA/other agencies through other documents submitted in the same application.*
- Certain documents have lost synchronisation and are no longer relevant to the conversion process in their present form.*
- A number of particulars can now be verified and authenticated through online mode, obviating the need for physical submission of the corresponding documents.*

5. *It was agreed to and decided that the list of documents*



ought to be reviewed and pruned so as to remove duplication and online verification be adopted wherever feasible.

6. Discussion on Simplification of the Conversion

Process: *It was also discussed to rationalize and simplify the conversion process by reducing the number of procedural steps involved so as to make the process more citizen-friendly, reduce processing time, and minimise the compliance burden in terms of both procedure and documents placed on applicants.*

7. Discussion on Conversion Charges: *On the issue of conversion charges, it was discussed that the rates presently applicable were fixed a considerable time ago and have not been revised since then. After discussion, the following were brought out:*

- The rate structure for conversion charges requires revisiting in light of the substantial period that has elapsed since the last revision.*
- Any revision must have due regard to the quantum of public money/government revenue involved, while also being fair and equitable to applicants.*
- This matter requires a holistic examination, encompassing both the quantum of charges and the procedure for their determination and collection rather than a piecemeal decision.*

8. It was also discussed that although, conversion policy of DDA has presently been kept to on hold and under review to rationalise and simplify it, this does not restrain to leaseholder to transfer, gift, inheritance, mortgage their properties as per the established procedure. The lessee of these properties can apply to DDA for transferring their properties.

9. After the discussion and having regard to the above points, it was decided that given the range of issues



involved namely, simplification of documentation, simplification of process, and a comprehensive revisit of the conversion charges structure, a time till 31.12.2026 be sought from the Hon'ble High Court of Delhi to enable DDA, MoHUA and other concerned authorities to examine all aspects of the matter holistically and to arrive at a complete and considered decision.

10. It was further decided that DDA, in consultation with L&DO and other concerned agencies, shall work towards finalising the revised list of documents, the simplified process, and its recommendations on conversion charges within the said period.”

6. At the outset, the Court has put a query to the Id. Counsel appearing for the DDA and the Id. Counsel appearing for the MoHUA as to whether any policy which would now be announced for conversion can apply retrospectively, the answer is that usually a policy of this nature, has to be prospective in nature, though there may be some exceptions to this.

7. Ld. Counsel for the property owners have placed reliance on a decision of the Id. Single Judge of this Court in ***W.P.(C) 5180/2012*** titled ***Neera Sharma vs. Delhi Development Authority***, wherein the Petitioner had applied with DDA for change of land use and had deposited appropriate conversion charges. The Petitioner therein was aggrieved by the CLU charges levied as per the rates that were revised after filing of the application. In this regard, the Id. Single Judge held as under:

“7. In my view, if the application in the case of the petitioner was submitted at the same time when the application in the case of other persons with whom parity is being claimed by her were submitted, it was not open to DDA to charge a higher rate from the petitioner while charging lower rates from those persons, in whose cases, an order dated 21.5.2008 was passed by this



Court in W.P(C) No.2365/2007.

8. Had the petitioner not deposited the charges along with the application, DDA could probably have some justification for charging higher rates from her. But, when the petitioner deposited more than the amount ultimately found payable by her towards CLU charges and the DDA utilized the money of the petitioner for about three years before granting permission for change of land use, it is not open to the agency to charge higher rates from her on the ground that there has been revision in the rates between the date of the application and the date on which the permission was ultimately granted. **The respondent-DDA has not brought to my notice any such rules or regulations which provides that the CLU charges at the rates prevalent on the date of grant of permission would apply.** In any case, there can hardly be any justification for such a stipulation when the charges are already deposited along with the application. **In fact, it is only the applicant and not DDA who suffers on account of delay in processing the application since, her money is utilized by DDA whereas she is not able to use the land in respect of which change of land use is sought. In these circumstances, there is neither any legal basis nor any justification on facts, for DDA charging from the petitioner, the conversion charges as prevalent in the year 2009-2010.** Therefore, DDA is required to refund the balance amount which becomes payable to the petitioner after calculating CLU charges @ Rs.750/- per sq. meters.”

A perusal of the above decision shows clearly that the applicable charges for conversion of land use would be as per the rates prevalent on the date of filing of the application, especially, where the applicant had already deposited the applicable charges along with the said application.



8. In the opinion of the Court, and considering the submissions as also the decision cited above, any policy which would be now announced would have to be prospective in nature. It is the admitted position that there are a large number of applications for which conversion charges have already been collected by the DDA. Such applications are also not being processed due to pulling down of the Portal.

9. As captured in the previous order dated 31st July, 2026 in paragraph 18, the Court was informed that there were 1373 applications which were pending wherein Rs.155.06 crores has already been collected by the DDA.

10. It is made clear that in respect of all the past applications which are pending for which payments have been received, the same would have to be processed as per the policy prevalent at the relevant point in time.

11. Ld. Counsels appearing for the Government, however, pray that a comprehensive policy be permitted to be placed on record so that the matter is not dealt with in a piecemeal manner.

12. It is for this purpose that the Court had granted time on the last date of hearing. Despite sufficient time having elapsed, there is no positive outcome that the Court has seen even today. For example in paragraph 8 of the minutes of meeting extracted above, it records that there is no restraint on leaseholders transferring, gifting, inheriting and mortgaging their properties as per established procedure. In respect of the process of transfer of leasehold properties, none of the Ld. Counsels are able to apprise the Court as to the mechanism for doing the same.

13. The further conclusion in the Minutes also shows that from the MoHUA, the matter has been sent back to the DDA and the L&DO for giving their recommendations.



14. Ms. D. Thara from MoHUA has not joined, however, Mr. N. Sarvana, Vice Chairman, DDA has joined the proceedings and submits that the DDA and L&DO are engaged in active consultation for giving their recommendations and the same would be done within the next two weeks.

15. The Court is clearly not satisfied with the progress made since the previous order and is also not satisfied with the Minutes which have been placed on record. In fact, the Minutes actually reveal that there is no clarity on any policy whatsoever neither on documentation nor on the conversion charges.

16. Scores of citizens cannot be made to wait for conversion of their properties from leasehold to freehold in this manner.

17. Last and final opportunity is granted to the MoHUA, DDA and L&DO to place their final policy on record at least three days before the next date of hearing.

18. List on 28th September, 2026 at 2:30 p.m.

19. This shall be treated as part-heard matter.

20. Ms. D Thara and Mr. N. Sarvana Kumar shall join the proceedings on the next date of hearing.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

SEPTEMBER 7, 2026

Rahul/msh