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

Date of Decision: 28th September, 2026

Uploaded on: 30th 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, Mr Amit
Kumar, Mr. Naman, Advs. and Ms. D.
Thara, Secretary for UOI/ MOHUA
/L&DO. (M: 9999900412)
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

2

CNR No. DLHC010398742025

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

KANTA RANIPetitioner

Through: Mr. Ashwini Kumar Singh and Ms.
Shruti Singh, Advs.

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, Mr Amit Kumar, Mr. Naman, Advs. and Ms. D. Thara, Secretary for UOI/ MOHUA /L&DO.

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

Ms. Manisha Agrawal Narain, CGSC for Union of India with Mr. Divyanshu and Mr. Ayush Srivastava, Advs.

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

WITH

3

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CNR No. DLHC010888302025

+

W.P.(C) 17229/2025

MEENAKSHI AUPLISH

.....Petitioner

Through: Mr. Ashwini Kumar Singh and Ms. Shruti Singh, Advs.

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, Mr Amit Kumar, Mr. Naman, Advs. and Ms. D. Thara, Secretary for UOI/ MOHUA /L&DO.

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

Ms. Urvi Mohan & Ms Roshni Agarwal Adv. for RCS

AND

4

#

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 & Ms. Roshni
Agarwal, Advs. 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. The present set of petitions are concerned with the difficulties being faced by the residents of Delhi due to applications for conversion of property from leasehold to freehold not being processed by the DDA.
3. In **CONT.APP.(C) 15/2026** on 3rd July, 2026 the Court took judicial notice of the fact that in several cases pending before this Court in respect of flats in different Co-operative Societies, the Interactive Disposal of Land Information System (IDLI) portal operated by the Delhi Development Authority (DDA) for filing applications seeking conversion of properties has remained non-functional since 2nd January, 2026.
4. On the said date, submission of the ld. Senior Counsel for the DDA was that a policy decision was likely to be taken by the Ministry of Housing and Urban Affairs (MoHUA). Considering the said submission as also the severe situation in respect of non-processing of conversion applications, the Court had observed as under:

“24. The conversion of properties from leasehold to freehold in the city of Delhi is an important right available to citizens, enabling them to freely deal with,



transfer and otherwise transact in respect of their immovable properties. The DDA cannot be permitted to keep this issue pending for such a prolonged period, particularly when nearly seven months have elapsed without any final decision being taken.

25. The matter would, no doubt, require consultation amongst the DDA, the Ministry of Housing and Urban Affairs and the Ministry of Finance, however, such consultation ought to have been undertaken and concluded at the highest level with due expedition.

26. The continued delay from January, 2026 till July, 2026 in restoring and facilitating the process of conversion of properties from leasehold to freehold in Delhi is a matter of serious concern, as it adversely affects property owners intending to enter into sale transactions in respect of their immovable properties or finalise title in respect of their properties.

27. In fact, such delay is also likely to impede family settlements and other bona fide transactions involving immovable properties. Accordingly, in the larger public interest, it is imperative that a final decision in the matter is taken at the earliest, without any further delay.

28. Accordingly, it is directed that a decision shall be taken in an expeditious manner and the Vice Chairman, DDA shall file a status report as directed in Writ Petition (C) No. 9034/2025. Copy of the said status report shall also be filed in the present matter.”

5. It is pertinent to note that this Court had earlier in ***Writ Petition (C) No. 9034/2025*** titled ***Kanta Rani vs. Registrar of Cooperative Societies & Ors.,*** in respect of a similar issue, directed the Vice Chairman, DDA to file a status



report as to why the IDLI portal was non-functional, the steps taken by the DDA and the period by which the same would be functional. The relevant portion of order dated 22nd May, 2026 passed in **Kanta Rani (supra)** reads as under:

“4. Heard the Id. Counsels for the Parties. As is clear from the above order that the regularization of the Petitioner’s flat has been done and a recommendation has also been sent to the Delhi Development Authority (hereinafter “DDA”) by the Registrar Co-operative Societies (hereinafter “RCS”).

5. However, there is a delay in the conversion of the flat from lease hold to free hold, as the relevant portal of the DDA is not functional. As soon as the portal is functional, the Petitioner is free to apply afresh for conversion and the same shall be processed within a period of six weeks thereafter subject to all formalities as applicable being completed.

6. At this stage, the Ld. Counsel for the Petitioner has raised a serious objection that the portal of the DDA for regularization of property is not functional since 2 nd January, 2026.

7. This Court has also heard similar grievances in many matters. Conversion of properties from leasehold to freehold is an important step which enables citizens to deal with their properties. Delay in the same could severely hamper the interest of property owners.

8. Thus, the DDA ought to take immediate steps to restore the functioning of the portal. Accordingly, let the Vice Chairman, DDA file a status report as to the reasons why the concerned portal is not functional, the steps taken so far and a timeline by which the same shall be functional. The status report shall be placed on record



within 4 weeks by way of an affidavit.”

6. Thus, as can be seen from the above, the Court had directed the DDA to place a status report on record in respect of the non-functioning of the IDLI portal. The same status report was also to be placed on record in these matters in terms of the directions passed on 3rd July, 2026.

7. Thereafter, these matters were considered on 30th July, 2026. The Vice Chairman, DDA - Mr. N. Saravana Kumar, IAS, had joined the proceedings online and had also filed an affidavit. The submission on behalf of DDA was that the IDLI portal has been non-functional due to the policy decision necessitated in view of a communication dated 2nd January, 2026 by the MoHUA (Delhi Division). As per the said communication, a policy decision is to be taken as to whether the conversion charges ought to be calculated as per the circle rates.

8. The Court considered the correspondence between the DDA and MoHUA which had taken place pursuant to the orders passed by this Court. However, from the said correspondence it was clear that despite the portal being non-functional since 2nd January, 2026 the policy decision was not forthcoming. The relevant portion of the order dated 30th July, 2026 reads as under:

“16. The above correspondence would, show that after January, 2026, only recently, correspondence has taken place between DDA and MoHUA in view of the orders being passed by the Courts.

17. The data which has now been placed on record by the DDA would show that there are a total of 1373 conversion applications filed between 2020-2026, which were filed prior to the IDLI portal being pulled



down. Out of the 1373 applications, in respect of 308 applications, the approval for conversion has also been granted but conveyance deeds are not being executed.

18. The total conversion charges which have been collected by the DDA from the applications filed from 2020-2026 are Rs.155.06 crores. The said 1373 applications which are pending, are substantial in nature for the last 6 years.

19. The IDLI portal, which enabled applications to be filed online and payments to be accepted online has been pulled down by the DDA in view of the communication of the MoHUA dated 2nd January, 2026. The DDA has, on its own, written letters to the MoHUA. However, it appears that no decision is forthcoming.

20. In view of this position, the Court has also interacted with ViceChairman DDA, Mr. Saravanan Kumar, IAS, who has informed the Court that there is active consultation going on between DDA and MoHUA and there is a possibility of a decision in the near future.

21. It is a matter of which judicial notice can be taken that in the MoHUA, a separate division has been carved out called the 'Delhi Division' which has to exclusively deal with issues relating to development in Delhi.

22. Hundreds of immovable property owners in Delhi have applied for conversion and have, in fact, paid the necessary conversion fee as per the prevalent policy at the relevant time. Their applications have been put on hold and there is no clarity as to when the decision in respect of the conversion charges would be taken and as to when the DDA would be able to restart the IDLI portal.

23. Vice-Chairman DDA, Mr. N. Saravana Kumar,



IAS, who has joined the proceedings virtually is unable to give any timeline in this respect.

24. Under these circumstances, this Court is of the view that when a substantial amount of money of more than Rs.155 crores has been collected by the DDA, putting on hold even existing conversion applications would be completely unjustified.

25. As observed earlier, conversion of a property from lease hold to free hold is an important aspect of ownership. There may be citizens who may be requiring funds urgently by selling off their properties. There may also be many senior citizens, who may be wanting to dispose of their properties and many family settlements which may be held up because of such conversion. These aspects cannot be ignored by the authorities.”

9. In view of the uncertain position in respect of conversion of properties from leasehold to freehold, especially for those property owners who had applied and paid the conversion charges, as highlighted above, the Court had directed as under:

“27. Accordingly, it is directed that Ms. D. Thara, Secretary, Department of Capital Development, Ministry of Housing and Urban Affairs, New Delhi, shall hold an urgent meeting with the officials of the DDA, as also any other relevant officials including MoF in order to communicate the Ministry's decision on conversion charges so that the DDA can expeditiously open the IDLI Portal for conversion.

28. Considering the long pending nature of such an important issue, the Court has requested the Id. Additional Solicitor General, Mr. Chetan Sharma to assist the Court and communicate this order to the concerned Authorities.



29. The meeting shall be held between the Secretary, Department of Capital Development, MoHUA and DDA as also any other Ministries as may be required by the Secretary, Department of Capital Development, MoHUA, on 10th August, 2026 at 3 pm.

30. If any further meetings are required, the same shall be held on a day-to-day basis and a comprehensive joint report shall be placed on record by MoHUA, Delhi Division and the DDA as to the manner in which the conversion applications would now be processed and the charges that would be required to be paid.”

10. On the last date *i.e.*, 7th September, 2026, minutes of the meeting dated 14th August, 2026 held pursuant to the directions above were placed on record and the same were considered. It was observed by the Court that despite the directions passed and the difficulties highlighted, no substantive decision had been taken by the authorities.

11. In addition, the Court had queried the *Id.* Counsels for MoHUA and DDA as to whether the policy in respect of conversion charges would be made applicable retrospectively. The response of the *Id.* Counsels was that usually a policy of this nature would be prospective though there may be exceptions to this.

12. *Per contra*, the *Id.* Counsel for the property owners relied on the decision of the *Id.* Single Judge of this Court in ***W.P.(C) 5180/2012*** titled ***Neera Sharma vs. Delhi Development Authority***, in support of the argument that the conversion charges as applicable at the time of filing applications would be the actual charges.

13. After hearing the *Id.* Counsels for the parties and considering the



decision in *Neera Sharma (supra)*, as also the lack of expedient response by the concerned authorities, the Court observed and directed as under:

“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.**



Counsel 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.”

14. In this background, the present matters have been taken up and considered today.

15. Ms. D Thara, Secretary for MoHUA has joined today online. She submits that the DDA and the MoHUA would require four more months time to finalize the policy for conversion of property from leasehold to freehold.



The least amount of time that would be required would be two months as per her.

16. In effect this would mean that the entire matter would now be adjourned to December, 2026 or January, 2027. For a full year, therefore, the conversion of properties from leasehold to freehold would continue to remain standstill in the whole city of Delhi. In the opinion of the Court this is completely unacceptable.

17. The Court has given sufficient opportunity to MoHUA and the DDA to look into this matter and formulate the policy. Various orders passed by this Court from 3rd July, 2026 onwards would show that for at least six months the conversion policy was not looked into at all.

18. Further, despite the orders that have been passed by this Court from 3rd July, 2026 onwards, that there is no progress whatsoever.

19. Even the latest affidavit filed in ***W.P.(C) No. 9034/2025*** by Mr. Vinay Kumar, Under Secretary, MoHUA, Government of India, in compliance with the order dated 7th September, 2026, does not show any progress nor has it given any timeline for finalising of the policy. It merely states as to what are the factors that need to be considered for formulation of the policy, including the financial implication, etc.

20. As can be seen from the background recorded hereinabove, in order dated 30th July, 2026, it was recorded clearly that there were 1373 applications for conversion from leasehold to freehold which were pending, wherein Rs. 155.06 crores have already been collected by the DDA.

21. All the said applications are still kept pending, as on date, as has been informed to the Court.

22. In paragraph 9 of the latest affidavit, the stand of the MoHUA in respect



of pending applications is as under:

“9) That mere pendency of an application cannot, by itself, result in freezing of the conversion charges at the rate prevalent on the date of application. It does not create a vested or indefeasible right to conversion at the rate prevailing on the date of submission of the application in favour of the applicant, particularly where conversion has not yet been sanctioned and the conversion consideration has not attained finality. An amount may have been deposited by an applicant also cannot, by itself, be treated as equivalent to a final sanction of conversion. Where the amount has been received subject to verification of eligibility, title, documentation, calculation and final determination of the conversion consideration, such receipt does not necessarily create an indefeasible right to conversion at the rate prevailing on the date of deposit.”

23. The Court is not satisfied with this recent affidavit. In the said affidavit it is stated that the Government has the discretion and competence to prescribe the terms, conditions and the rates governing conversion of property from leasehold to freehold. However, as is evident from the facts and circumstances of these matters, the Government appears to be lax in exercise of the said discretion. Despite the Court's repeated directions and granting of time to finalise the policy for conversion of properties, the residents and property owners in Delhi are struggling for the past 8 months *i.e.*, from 2nd January, 2026 when the IDLI portal became non-functional.

24. This Court has repeatedly impressed upon the concerned authorities, including MoHUA and DDA, the importance of conversion of properties from leasehold to freehold as also the enormous difficulties being faced by the residents of Delhi. This situation is further compounded in respect of those



property owners who have already filed the applications and paid the then prevalent conversion charges, and are now awaiting a decision from the DDA.

25. In the interest of justice, considering that the amounts have already been collected by the DDA amounting to Rs.155.06 crores, this Court deems it fit to direct that all pending applications for conversion of property from leasehold to freehold shall be processed by the DDA, in terms of the prevalent policy as on the date of filing the application.

26. Further, the decisions in respect of the said pending applications shall be taken within a period of two months from today.

27. Insofar as the fresh applications or enabling the IDLI portal for accepting further applications for conversion is concerned, since Mr. Thara has sought two months' time, it is directed that for future applications the policy may be formulated and be placed before this Court by the next date of hearing.

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

29. List on 11th December, 2026.

30. These shall be treated as part-heard matters.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

SEPTEMBER 28, 2026/dk/msh