

PRAKASH DEEP FLAT OWNERS WELFARE SOCIETY

GSTIN: 07AACAP8786B1ZC
PAN NO.: AACAP8786B

Dated : 22.01.2018

M/s. Ansal Properties & Infrastructure Ltd.
115, Ansal Bhawan,
16 Kasturba Gandhi Marg,
New Delhi-110001

Through:-
1) Speed Post (AD)
2) Courier
3) By Hand.

Dear Sir,

Sub: **Conversion of land from leasehold to free hold.**

We represent the '**Prakash Deep Flat Owners**' Welfare Society consist of flat owners of Prakash Deep Building as our members.

You are aware that you are the promoter and builder of Prakash Deep Building on the leasehold land situated at 7, Tolstoy Marg, New Delhi. The leasehold right of the land is in your name and '**Prakash Deep Building**' has been constructed on the said leasehold land standing in your name. Since very beginning that is from the date of purchase of flats at Prakash Deep Building you have been representing to the flat owners that Prakash Deep land is required to be converted from leasehold to freehold and then the proportionate right over the land in favour of respective flat owners will be transferred. The flat owners are desperate to get their right of land converted from leasehold to freehold from the date of their purchase of flat and they have been approaching you and requesting you and your officers since last several years to take steps for arrange to transfer proportionate share of land in favour of flat owners and also for conversion of land from leasehold to freehold. Since very beginning you have been representing that you are taking steps for transfer.

Vide your letter dated 07.10.2011 you intimated the flat owners that there has been launch of schemes of Land and Development Office (L&DO) for conversion of plots on leasehold system of land tenure to freehold and that you are in receipt of numerous requests from the allottees of such property for facilitation on conversion of their units to freehold tenure.

Thereafter vide your said letter you induced allured and represented the flat owners and made them to believe your following assurances.

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Aajee

PRAKASH DEEP BUILDING 11TH FLOOR, 7, TOLSTOY MARG, NEW DELHI-110001

Ph.: 011- 43560203, Email : prakashdeprwa@gmail.com, Website : Prakashdeprwa.com

Extract from your letter dated 07.10.2011:-

"This conversion translated into following advantages pertaining to your property unit(s)

- 1) *Acquisition of the absolute and clear title backed up with execution of conveyance deed to replace your present sole "letter of allotment".*
- 2) *Freely and easily transferable title.*
- 3) *More bankable title of the property as well as increase in the value of property as a security for bank borrowings.*
- 4) *As a freehold property, you are liberated from limitations of leasehold property, which technically belongs to the less or (Government) who can take charge of the property on account of any unforeseeable violations including late payment of ground rent or on charges of unauthorized construction or any alternation/modification in plan or misuse of property.*
- 5) *No liability to pay ground rent after conversion to freehold and no liability to pay administration charges to developer upon sale/transfer of your property unit.*

Supplementary benefits from the Delhi Apartment Owners Act 1986.

The area of the allottee will get further enhanced if the allottee additionally avails of the benefits under The Delhi Apartment Ownership Act 1986, which is in harmony with the 'Conversion Scheme' with regard to making of the title heritable and transferable. "

Being allured and induced by your representations and relying upon your assurances that you are the only competent instrumentality which can arrange for transfer of the leasehold land into freehold, many of the flat owners advanced and deposited with you the conversion charges as demanded by you, and it is estimated that in aggregate such deposit, with you may cross to approximately Rs.3.5 crores.

Vide your said letter you also provided schedule of payments to be made by flat owners which is as follows:

"Schedule of Charges: The conversion charges, as applicable for conversion of property to a freehold unit are as detailed in Annexure-I, Additionally, the service fee @ 12.50% and a service tax on this fee is being charged @ 10.33%.

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Event Dates	Amount Payable (In INR)
On expression of interest by 21 st October, 2011	10,000 only
One Week before filing of conversion documents, tentatively on or before 4 th November, 2011	25% of the total conversion charges as per Annexure -I.
On or before 28 th November 2011	25% of the total conversion charges as per Annexure-I
On or before 12 th December 2011	25% of the total conversion charges as per Annexure -I
Upon completion of the conversion process & fulfillment of conveyance deed.	25% of the total conversion charges as per Annexure -I, Plus interest/outstanding dues (if any), Less Rs.10,000 paid on expression of interest.

Any statutory increase in the conversion charges, during this process, will be payable by you (with interest @ 18%) alongwith other pending dues, as applicable.

.....”

In your aforesaid propoundment you also threatened that in case any flat owner do not deposit the money, or in case of delay as per schedule given by you in your said letter 18% interest will be charged.

Vide your said letter you also contemplated that :-


“.....”

In case of any eventuality unforeseen during any time of this conversion process, the developer reserves the right to withdraw or cancel the conversion process and refund the allottees their dues less any proportionate cancellation charges imposed by the Government.

We look forward to a mutually gainful opportunity on this event and hope to have your response reaching us as per schedule.”

Till today, inspite of repeated reminder by flat owners you have not intimate either your withdrawal or cancellation of process but as and when approached, you have been assuring that conversion is in process and will be done.

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Being induced by your offer and believing the same to be true and genuine, Flat Owners paid all amount as demanded by you because there were desperate to get their rights to hold flats freehold. There was also a threaten to charge interest @18% p.a. by you if delayed as stated above and Flat Owners believed that their flat is going to be converted to be freehold very soon as represented by you.

But now, the Flat Owners are very sorry to place on record that you Ansals after collecting the huge money, i.e. more than Rs.3.5 crores as on 2011 neither took any steps for conversion nor are informing any development about any steps taken by Ansals for conversion from the date of payment till now.

If conversion process was not to be initiated by Ansals & if conversion was not expected it was not desirable for the Ansals to collect such huge money from Prakash Deep Flat Owners and also on the threat of charging interest on belated payment and then sit tight on flat owners money without paying interest and without taking any steps for conversion and without disclosing progress. All the flat owners are entitled to claim interest their Deposits with you @ 18% p.a.

However, without prejudice to the rights & contentions, of the respective flat owners, we on behalf of and duly authorized by Prakash Deep, Flat owners request you to please immediately cause conversion of land from leasehold into freehold and confirm the development with regard to the conversion process within 7 days of receipt of this letter. Please also add 18% interest on the deposits made with you from the date of respective deposits till now & till process is completed.

For PRAKASH DEEP FLAT OWNERS WELFARE SOCIETY


PRESIDENT

CC to:

1. Mr. Sunil Ambardar (9811410024)
2. Mr. Gurmeet Singh Sethi (9810637633)
3. Mr. Balbir Mehta (9811066735)
4. Other Flat Owners

