

D.L.F. Universal Ltd. v. Appropriate Authority and another etc.

Civil Appeal No. 2423 of 1999 etc.

[2000] 3 SCR 970 | 2000-05-04

Form 37-I defects, directory time under Rule 48-L and the duty to issue a no-objection certificate after the purchase period expired

Income-tax Act, 1961: sections 269-UA to 269-UL (former Chapter XX-C), 276-AB and 278-AA |
Income-tax Rules, 1962: Rule 48-L and Form 37-I

Two-judge bench; judgment delivered by D. P. Wadhwa, J. | D. P. Wadhwa, J. | Ruma Pal, J.

Omitted statutory regime

The decision concerns Form 37-I and the former pre-emptive-purchase machinery in Chapter XX-C.

01 FACTS OF THE CASE

DLF and Ansal entered into agreements to sell flats or apartments and filed Form 37-I with purchasers. The Appropriate Authority sought revised statements, then treated the filings as non-maintainable because they were said to be late and incomplete. The Delhi High Court set those orders aside but directed fresh decisions, producing appeals over the statutory route and the form requirements.

Source: [Primary judgment: facts, arguments and statutory framework](#)

02 DISCUSSION BY THE HON'BLE COURT

The Court distinguished the inter-party agreement from the statutory statement in Form 37-I, held that Rule 48-L did not make the fifteen-day period mandatory, and rejected mechanical demands for every field in a composite sale/lease/exchange form. Chapter XX-C was directed at significant undervaluation and tax evasion; section 269-UC(4) was not a licence to raise irrelevant objections. The Authority had to choose between timely purchase and clearance.

Source: [Primary judgment: construction and application](#)

03 JUDICIAL DECISION

The filed statements were in order and timely. With no purchase order within the statutory three-month period, remand would improperly revive an expired power. Applying the two-option structure of Chapter XX-C, the Court held that the Authority was bound to issue the no-objection certificates.

Source: [Primary judgment: controlling decision](#)

04 OUTCOME / IN WHOSE FAVOUR

Exercising its authority, including Article 142, the Court directed the Appropriate Authority to grant the parties no-objection certificates forthwith. The appeals were disposed of and the parties were left to bear their own costs.

Source: [Primary judgment: operative order](#)

05 AKHB REVIEW POINT

AKHB analysis: under a statutory pre-emption regime with a fixed decision window, an authority cannot avoid the purchase-or-clearance choice by declaring a substantially compliant statement non-existent on irrelevant or directory grounds. This is a historical Chapter XX-C point, not a current transaction-clearance checklist.

Source: [Primary judgment: review-point basis](#)

SOURCE & VERIFICATION

[Supreme Court Reports scan - public eSCR mirror](#)

Complete 25-page SCR report read in page-preserving text and every page image inspected through the final operative order.

[Open cited source rendition](#)

Exact catalogue SHA-256 and 25-page count verified; the complete report was read and every source page image inspected.

STATUTORY SCOPE

Chapter XX-C, including sections 269-UA to 269-UL, was omitted with effect from 1 July 2002. The holding must not be used as a statement of current conveyancing or income-tax procedure.

LATER TREATMENT

Source checked 2026-10-12. No comprehensive later-treatment or present-law clearance is represented. This note reports the former Chapter XX-C pre-emptive-purchase procedure.

AI DISCLOSURE

This AKHB research note was prepared with AI assistance from the identified primary report and has not been represented as independently human-reviewed.

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