



\$~79

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

CNR No. DLHC010402242026

+ **W.P.(C) 12449/2026**

KRISHAN KUMAR MALIK & ORS.

.....Petitioners

Through: Mr. Viksit Singh, Mr. Deepanshu
Malik and Ms. Garima Singh,
Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mr. Sunil Kumar Jha, Mr. Md. Sueb
Akhtar and Mr. Kushagre Dixit,
Advocates for LAC.
Mr. Lalitaksh Joshi and Ms. Minu
Kumari, Advocates for R-4/GNCTD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.08.2026

%

1. The Petitioners state that Petitioner No. 1 is the intending purchaser of agricultural land bearing Khasra No. 1 etc./342, total admeasuring 10 Bigha 19 Biswa, situated in the revenue estate of Village Mundela Khurd, Tehsil Najafgarh, Delhi, while Petitioners No. 2 to 4 are the recorded co-owners/co-bhumidars thereof, represented through their common General Power of Attorney Holder, Ms. Indrawati @ Indu Malik. The Petitioners propose to execute and present for registration a Sale Deed in respect of the aforesaid land before the concerned Sub-Registrar.

2. The Petitioners state that, upon enquiries with the Respondents, they



were orally informed that the proposed Sale Deed could not be registered without prior sanction/NOC from the competent authority, on account of the pending consolidation proceedings in Village Mundela Khurd. Aggrieved thereby, the Petitioners have approached this Court.

3. Counsel for the Respondents fairly submit that the issue raised in the present petition is covered by the decisions of this Court in ***Okaya Infocom Pvt. Ltd. & Anr. v. Govt. of NCT of Delhi & Anr.***¹ and subsequent orders following the same. In view of the same, the Respondents submit that they are not insisting upon an NOC/sanction at this stage for registration of the proposed Sale Deed.

4. Indeed, in ***Okaya Infocom Pvt. Ltd.***, this Court held that, having regard to the prolonged nature of consolidation proceedings, registration of such documents cannot be indefinitely withheld solely on the ground of non-availability of an NOC/sanction. The Sub-Registrar was directed to proceed in accordance with law, without insisting upon any sanction, approval, or NOC linked exclusively to consolidation proceedings.

5. The aforesaid legal position has been reiterated in subsequent decisions, including in ***Jeevantika Organic Farming LLP v. Govt. of NCT of Delhi & Ors.***², wherein, while taking note of the stand of the Government, this Court balanced equities by requiring the intending purchaser(s) therein to furnish an undertaking. The underlying principle, namely that registration cannot be stalled indefinitely on account of pending consolidation proceedings, is equally applicable to the present case.

6. For the foregoing reasons and having regard to the facts of the present

¹ In *W.P.(C) 12122/2021*, decided on 10th November, 2023.

² In *W.P. (C) 12083/2025* & other connected matters decided on 12th August, 2025.



case, and particularly in light of the stand taken by the Respondents, this Court is of the opinion that the writ petition can be disposed of by issuing directions in similar terms.

7. Accordingly, it is directed as under:

(i) The affidavit(s)/undertaking(s) already placed on record by the Petitioners is taken on record and accepted. The Petitioners shall remain bound by the same.

(ii) Any breach of the aforesaid undertaking(s) shall entail consequences in accordance with law. The undertaking(s) shall also form part of the proposed Sale Deed so as to put any subsequent transferee to notice.

(iii) Subject to verification of the land acquisition status by the competent authority, and in line with the decisions in *Okaya Infocom Pvt. Ltd.*, *Shailender Bansal* and *Jeevantika Organic Farming LLP*, it is directed that the registration of the proposed Sale Deed shall not be refused solely on the ground of pendency of consolidation proceedings or non-availability of any NOC/sanction in that regard, and shall be processed further in accordance with law.

(iv) It is clarified that the registration shall be without prejudice to the pending consolidation proceedings and shall remain subject to the rights, claims, and contentions of third parties, if any.

8. With the foregoing directions, the petition, along with any pending application(s), stands disposed of.

SANJEEV NARULA, J

AUGUST 25, 2026/nk