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

+ **W.P.(C) 16949/2024**

BHAGAT SINGH

.....Petitioner

Through: **Mr. Muhammad Arif, Advocate.**

versus

GOVT OF NCT DELHI & ORS.

.....Respondents

Through: **Ms. Hetu Arora Sethi, ASC with Mr. Prakhar Mani Tripathi, Advocate for Respondents No.1, 2 and 3/GNCTD.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

09.12.2024

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CM APPL.71784/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been preferred on behalf of the Petitioner under Articles 226/227 of the Constitution of India seeking a direction to Respondent No.2 to issue NOC/Land Status Report in respect of Petitioner's land falling in Khasra No.81 situated in revenue estate of Village Baqiabad, Delhi ('subject land').
4. It is averred in the writ petition that Petitioner applied for NOC/Land Status Report in respect of the subject land on 21.03.2024 under an Acknowledgement Receipt/Slip No. 90580000012894. Respondent No.3



duly acknowledged the receipt of the application on 22.03.2024. However, despite several oral requests, Petitioner's application is still pending for consideration. Petitioner has also made a written complaint on 01.07.2024 to Respondent No.2 but still no action has been taken.

5. Learned counsel for the Petitioner submits that the Divisional Commissioner has issued an SOP dated 08.09.2024 directing all subordinate officials for time bound consideration and issuance of NOC. Pursuant to this direction, SDM (Headquarters) has also issued a letter on 24.03.2006 in respect of issuance of NOC/Land Status Report. On 31.05.2011, SDM (Notification) has clarified the procedure for issuance of NOC. However, despite the SOP and the aforesaid letters being in place directing authorities concerned to consider the case of NOC/Land Status Report in a time bound manner, the application of the Petitioner is pending consideration since 21.03.2024, compelling the Petitioner to approach this Court.

6. Issue notice.

7. Ms. Hetu Arora Sethi, learned ASC accepts notice on behalf of the Respondents No.1, 2 and 3.

8. In my view, there is merit in the contention of the Petitioner to the extent that once an SOP is in place, it is the obligation of the concerned Authorities to consider the application for grant of NOC/Land Status Report in a time bound manner. Not doing so, has caused unnecessary litigation and harassment to the Petitioner.

9. Accordingly, at this stage, without entering into merits of the case, this writ petition is disposed of with a direction to Respondent No.2 to consider the application dated 21.03.2024 of the Petitioner, whereby he has sought NOC/Land Status Report for the subject land and take a decision



within six weeks from today. Needless to state that if the application of Petitioner merits grant of NOC/Land Status Report, the same shall be issued within four weeks thereof. In case the decision is otherwise, a reasoned and speaking order shall be passed, which will be communicated to the Petitioner, who will be at liberty to take recourse to legal remedies in case of any surviving grievance.

JYOTI SINGH, J

DECEMBER 9, 2024

B.S. Rohella