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

+ **W.P.(C) 17955/2024**

SH. JITENDER SINGH & ANR.

.....Petitioners

Through: Mr. V.P Rana, Ms. Jyoti Namkiad,
Advocates

versus

GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Mohit Bhardwaj, Advocate for R-
1 & 2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

24.12.2024

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1. Petitioner No. 1 is the owner of the land measuring 1 bigha 2 biswas, comprising in Khasra No. 49/1 at Village Alipur, Delhi. The said land was vested into Gaon Sabha under Section 81 of the Delhi Land Reforms Act, 1954 in Case No.40/SO(C)N/1999¹ by an *ex-parte* order dated 20th June, 2000, which remained unexecuted.

2. While proceedings under the Delhi Land Reforms Act, 1954 were pending, the village where the land is situated, was urbanised.

3. Petitioner No. 1 filed W.P.(C) 3421/2023,² which was disposed of on 20th December, 2023 setting aside the proceedings under Section 81 of the Delhi Land Reforms Act.

4. In view of the afore-noted order of this Court, the Revenue Assistant

¹ titled *Gaon Sabha Alipur v. Ji/ender Singh*

² titled *Sh. Jitender Singh v. Govt. of NCT of Delhi & Ors*



closed the proceedings on 22nd August, 2024.

5. In the above background, Petitioner No. 1 being the owner of the land is now intending to sell/transfer the land in favour of Petitioner No. 2 for which they have executed a document dated 11th November, 2024 purported to be a Sale Deed. The said document was presented for registration with Respondent No. 2 under Receipt No. S.2024/20/7472, however, Respondent No. 2 has not registered the same and instead issued the impugned Deficiency Memorandum dated 13th November, 2024, calling upon the Petitioners to produce a No-Objection Certificate³ in order to register the document.

6. Counsel for the Petitioner submits that the impugned Deficiency Memorandum is untenable in law as no NOC is required to be produced by the Petitioners as the land has not been acquired or notified under the Land Acquisition Act, 1894 and Delhi Land (Restrictions on Transfer) Act, 1972. In this regard, the Petitioners have also placed reliance on decisions rendered in *O.P.C. Jain v. ADM (LA)*;⁴ *Vinod Kumar Rajoria v. Government of NCT of Delhi*;⁵ *Arpan Verma & Anr. v. Government of NCT of Delhi*;⁶ *Tej Singh v. Government of NCT of Delhi*;⁷ *Jai Prakash v. Government of NCT of Delhi*;⁸ *Namita Dabas & Ors. v. Adm (notification) & Anr.*⁹

7. In view of the foregoing judgments, in the opinion of the Court, the impugned Deficiency Memorandum cannot be sustained and the present

³ “NOC”

⁴ 1989 SCC Delhi 260

⁵ [W.P.(C) No. 5155/2023 decided on 04th September, 2023]

⁶ [WP (C) No. 14884/2024]

⁷ [W.P.(C) No. 14887/2024]

⁸ [W.P.(C) No. 14920/2024] decided on 07th November, 2024



petition is disposed of with a direction that Respondent No. 2 shall proceed for registration of the document, purported to be Sale Deed dated 11th November, 2024 without insisting for the NOC, in accordance with law.

8. With the above directions, the present writ petition, along with the pending applications, is disposed of.

SANJEEV NARULA, J

DECEMBER 24, 2024/ab

⁹ [W.P.(C) No.890/2017 – decided on 11th September, 2024]