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

+ **W.P.(C) 18018/2024**

SH. RAJESH KUMAR DAHIYA & ANR.

.....Petitioners

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

versus

GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through:

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 bearing Khasra No. 9/19 at Village Nizampur Rasidpur, Delhi through sale deed dated 12th July, 2000 executed between Petitioner No. 1 and Mrs. Bala Devi.

2. 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 purported to be a Sale Deed dated 15th November, 2024. The said Sale Deed was presented for registration with the Sub-Registrar (Kanjhawala), Respondent No. 2, however, the said Respondent has not registered the sale deed and instead issued the impugned Deficiency Memorandum dated 20th November, 2024, calling upon the Petitioner No. 1 to produce a No-Objection Certificate¹ in order to register the document.

¹ "NOC"



3. 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 some judgments, which are *O.P.C. Jain v. ADM (LA)*;² *Vinod Kumar Rajoria v. Government of NCT of Delhi*;³ *Arpan Verma & Anr. v. Government of NCT of Delhi*;⁴ *Tej Singh v. Government of NCT of Delhi*;⁵ *Jai Prakash v. Government of NCT of Delhi*;⁶ *Namita Dabas & Ors. v. Adm (notification) & Anr.*⁷

4. In view of the foregoing judgments, in the opinion of the Court, the impugned Deficiency Memo cannot be sustained and the present petition is disposed of with a direction that Respondent No. 2 shall proceed for registration of the document, purported to be Sale Deed dated 15th November, 2024 without insisting for the NOC, in accordance with law.

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

SANJEEV NARULA, J

DECEMBER 24, 2024

² 1989 SCC Delhi 260

³ [W.P.(C) No. 5155/2023 decided on 04th September, 2023]

⁴ [WP (C) No. 14884/2024]

⁵ [W.P.(C) No. 14887/2024]

⁶ [W.P.(C) No. 14920/2024] decided on 07th November, 2024

⁷ [W.P.(C) No.890/2017 – decided on 11th September, 2024]