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

+ W.P.(C) 7275/2025

ABHAY RAJ SHARMA

.....Petitioner

Through: Mr. Ashim Shridhar, Advocate.

versus

RAVINDER KUMAR & ORS.

.....Respondents

Through: Mr. Sudhanshu Tomar and Mr. Vaibhav Sharma, Advocates for R1 to R4.

Mr. Dhananjaya Mishra and Mr. A. Mohanty, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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26.05.2025

CM APPL. 32798/2025 (for exemption)

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

W.P.(C) 7275/2025 and CM APPL. 32797/2025 (for ex-parte ad interim injunction)

3. The petitioner has filed this petition under Article 226 of the Constitution, assailing an order of the Financial Commissioner dated 17.04.2025.
4. The principal finding of the Financial Commissioner is that the Revenue Authority has no jurisdiction to entertain proceedings filed by the petitioner under the Delhi Land Reforms Act, 1954 ["DLR Act"], as



the village in question, *Kanganheri*, has been classified as a ‘Low Density Residential Area’ by notification dated 18.06.2013. The Financial Commissioner has relied for this purpose, *inter alia*, upon the judgment of this Court in *Rajeev Shah (Deceased) through LR Ms. Gayatri Shah v. Government of NCT of Delhi & Ors* [W.P.(C) 3502/2022, decided on 10.04.2023], in which it has been held as follows:

“13. It is no longer res- integra that once an area has been declared as LDRA, it ceases to be a rural area and becomes part of urban area. The area in question i.e. Village Rajokri was declared as LDRA by way of Gazette notification dated 18.06.2013 issued by the Ministry of Urban Development (Delhi Division). Thus, after declaration of the area as LDRA, the land can no longer be said to be for agricultural purposes. The purpose of DLR Act is to protect agricultural use of the land. However, when an area itself is declared as Low Density Residential Area, non-agricultural use of land stands recognised by the Master Plan itself.”

5. The Financial Commissioner has also given liberty to the petitioner to seek his remedies, in accordance with law, while protecting the parties for the period of sixty days, during which no third-party interest to be created in the land in question [*Khasra No. 62/21, measuring 4 bhigas 16 biswas in Village Kanganheri, South-West Delhi*].

6. After some hearing, instead of agitating the petitioner’s contention in this writ petition, Mr. Ashim Shridhar, learned counsel for the petitioner, seeks extension of time to file civil proceedings, and continuation of the order of *status quo* until the Civil Court has an opportunity to consider the petitioner’s case for interim relief.

7. Mr. Dhananjaya Mishra, learned counsel for Government of



National Capital Territory of Delhi and Mr. Sudhanshu Tomar, learned counsel for private respondents [respondent Nos. 1 to 4] have no objection to this course of action.

8. The writ petition is, therefore, disposed of, with the direction that the parties may agitate their respective rights and contentions in respect of the subject land, by way of appropriate civil proceedings. They will maintain *status quo* as to the nature, character, title and possession of the land in question [*Khasra No. 62/21, measuring 4 bhigas 16 biswas in Village Kanganheri, South-West Delhi*], for a period of three months from today, subject to any interim orders that may be passed by the Civil Court in the meanwhile.

9. I am informed that the parties have also filed other proceedings against each other, under the DLR Act. It is agreed by learned counsel for the parties, that the aforesaid proceedings filed under the DLR Act, will not be agitated further, and the rights and contentions of the parties will be determined in the civil proceedings.

PRATEEK JALAN, J

MAY 26, 2025

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