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

+ **W.P.(C) 10251/2025**

**M/S GANPATI SALES AGENCY** .....Petitioner  
Through: Ms. Smita Maan, Mr. Aditya Singh, Mr. Rajeev Agnihotri, Mr. Shitiz Agnihotri & Ms. Jyotsana Agnihotri, Advocates.

versus

**SUB REGISTRAR MEHRAULI** .....Respondent  
Through: Mr. Lalitaksh Joshi & Ms. Ananya Sanjiv Saraogi, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**  
% **08.08.2025**

1. By way of this writ petition under Article 226 of the Constitution, the petitioner seeks a direction for registration of a sale deed dated 03.02.2025, by which the petitioner sold an immovable property (*Unit No. B-302, 2<sup>nd</sup> Floor, measuring 110 square yards, comprised in Khasra No. 379/2 min, situated in extended abadi Lal Dora of Village Chandanhulla, Tehsil – Mehrauli, New Delhi - 110074*).
2. The objection to registration communicated to the petitioner is that a No Objection Certificate [“NOC”]/Land Status Report [“LSR”] has not been produced.
3. A counter affidavit dated 07.08.2025 has been filed on behalf of respondent, affirmed by Ms. Suman Lata, Sub-Registrar, V-A, Mehrauli,



in which the sole ground taken is failure to produce the relevant electricity bill and the NOC/LSR.

4. I have heard Ms. Smita Maan, learned counsel for the petitioner, and Mr. Lalitaksh Joshi, learned counsel for the respondent.

5. Ms. Maan relies upon the judgment of this Court in *Gursharan Singh Chhabra v. Government of NCT of Delhi & Ors.* [W.P.(C) 1337/2023, decided on 18.12.2023] [hereinafter “*Gursharan Singh Chhabra*”], wherein the Court considered the provisions of the Delhi Land (Restrictions on Transfer) Act, 1972 [“1972 Act”], and the earlier decisions of this Court, including *Vinod Kumar Rajoria v. Government of NCT of Delhi & Ors.* [W.P.(C) 5155/2023, decided on 04.09.2023], reaching the following conclusion:

*“14. In the opinion of this court, by insisting on production of a Land Status Report/NoC before allowing registration, despite the settled legal position that when a parcel of land is not proposed to be acquired sections 4 and 8 of the 1972 Act do not apply, the administrative authorities are imposing a pre-condition on transfer of rights in such land without any authority of law, and the imposition of such condition is plainly beyond the scope of the statutory provision itself. Such imposition cannot therefore be countenanced in law.*

*15. To reiterate, the mandate of the law is that once a parcel of land is free of acquisition, it is not necessary for a party to obtain a Land Status Report/NoC from any authority before being permitted to register the transfer or conveyance of any rights in such land by way of sale, mortgage, gift, lease or otherwise. Correspondingly, the Sub-Registrar of Assurances cannot insist or demand that a party must produce any such Land Status Report/NoC or other prior permission before registering documents of transfer.*

*16. However, this court also considers it necessary to address the concern raised by Mr. Singhvi as well as Mr. Pathak, namely that it is desirable to have an official mechanism in place, by which, before registering a document transferring rights in land, the Sub-Registrar of Assurances should be able to get official confirmation from the Land Acquisition Collector that the land is not under acquisition, if only by way of additional due diligence, to obviate future disputes inter-partes*



or with the Government. It has been stressed that such mechanism is required since, in the absence thereof, a Sub-Registrar of Assurances has no official knowledge whether any given parcel of land is under acquisition or not. Counsel have informed the court that there is no official mechanism available for this purpose except by way of requiring parties to produce a Land Status Report/NoC under the 1972 Act. Since experience shows that absent such mechanism the SRA and the LAC adopt the easiest way forward, namely of rejecting the registration of a document, forcing parties to adopt avoidable litigation, this court is persuaded to put in place a mechanism as set-out below.

17. It is directed that whenever a document purporting to transfer or convey any rights, titles, or interests in land is presented to the Sub-Registrar of Assurances for registration, the concerned SRA would proceed to verify whether such land is or is not under acquisition in the following manner :

17.1. Firstly, the Sub-Registrar of Assurances would check, whether on a plain reading of the document sought to be registered, it recites that the land that is subject matter of the transfer or conveyance is not under acquisition. In the absence of such assertion, the SRA would be entitled to return the document to the parties, for making appropriate changes therein;

17.2. Secondly, if the recital referred to in the foregoing para is contained in the document, but the SRA still entertains a doubt as to whether the land is under acquisition, the SRA would then - through their own internal administrative mechanism - verify from the concerned Land Acquisition Collector whether the subject land is under acquisition; and if so, the particulars of the acquisition award and the current status of the award, that is to say whether the award is pending challenge in court, or whether acquisition proceedings have lapsed, or the award has been set-aside;

17.3. The SRA shall call for a verification report from the concerned LAC, as above, within 01 (one) week of a document being presented to the SRA's Office for registration; and the LAC shall furnish the verification report within 03 weeks thereafter. A copy of the verification report received from the LAC shall also be furnished by the SRA to the person who has presented the document for registration;

17.4. If the report received from the LAC verifies that the land is free from acquisition, the SRA would promptly proceed to register the document within 03 days thereafter; and



*17.5. Needless to add that if the executants do not recite in the document that the land is not under acquisition and/or the LAC report says that the land is under acquisition, the provisions of the 1972 Act would come into play and the transaction and registration of the document would then be governed by the provisions of that statute.*

*18. It is important to reiterate that the above internal administrative mechanism is being put in place only to address the administrative concerns raised on behalf of the SRA and the LAC; and such mechanism is in no way meant to derogate from the legal position that once a parcel of land is not under acquisition, the provisions of the 1972 Act have no application. It is emphasized that the SRA would adopt the verification mechanism set-out in para 17.2 above only if there is a doubt as to the status of the land, and not in every case.”*

6. The sale deed dated 03.02.2025 contains a recital in Clause 15 that the land is not under acquisition. The position adopted by the Sub-Registrar in the present case is, therefore, contrary to the judgment in *Gursharan Singh Chhabra*.

7. Ms. Maan further submits that the same Sub-Registrar has registered other sale deeds in respect of transactions in the same village without requiring NOCs, relying on clauses substantially similar to Clause 15 of the present sale deed. If so, this is a disquieting state of affairs. Ms. Maan has handed over copies of the relevant sale deeds to Mr. Joshi, who is requested to place the matter before the Divisional Commissioner/Secretary (Revenue), Government of the National Capital Territory of Delhi, for such action as may be deemed necessary.

8. The writ petition is accordingly disposed of with these observations.

**PRATEEK JALAN, J**

**AUGUST 8, 2025/‘Bhupi/sd’/**