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

+ **W.P.(C) 10873/2025**

ATAM PRAKASH

.....Petitioner

Through: **Mr. Akhil Kumar, Advocate.**

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Lalitaksh Joshi & Ms. Ananya
Sanjiv Saraogi, Advocates for
GNCTD. [M:-9730630681]**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.07.2025**

1. In the present petition, the petitioner seeks implementation of an order dated 10.10.2024 passed by the Financial Commissioner, by which proceedings instituted in respect of his property under Section 81 of the Delhi Land Reforms Act, 1954 ["DLRA"], was declared non-est.
2. In the order of the Financial Commissioner, it was noted that proceedings under Section 81 of the DLRA was initiated against the recorded owner of the subject property in the year 2023, although the village in question [Village Bakoli] had been declared as a low-density residential area by notification dated 18.06.2013. Consequently, following the judgment of this Court in *Rajeev Shah (Deceased) Through LR Gayatri Shah v. Government of NCT of Delhi & Ors.* [W.P.(C) 3502/2022, decided on 10.04.2023] and other similar judgments, the



Financial Commissioner held as follows:

“In the light of all the foregoing, it is observed that the revenue courts have no jurisdiction to enter into such matters where either the land/village has been declared urbanized or declared Low Density Residential Area and the provisions of Delhi Land Reforms Act, 1954 cease to apply since 18.06.2013 in this case. Accordingly, the impugned conditional orders dated 29.12.2023 passed by the RA/SDM are liable to be set aside and are set aside. Needless to say that proceedings pending before the RA/SDM cannot continue and are, therefore, declared non-est in terms of the above judgments as the revenue courts ceased to have jurisdiction. The revision petition bearing No.158/2024 titled Atam Parkash Vs. Gram Sabha Bakoli & Anr. is accordingly disposed of. No order as to costs.”

4. The grievance of the petitioner is that despite the order of the Financial Commissioner, the concerned Sub-Divisional Magistrate [“SDM”] has not formally closed the proceedings. Mr. Akhil Kumar, learned counsel for the petitioner, submits that the land records continue to reflect that the proceeding under Section 81 of DLRA as subsisting.
5. The petitioner has made a representation dated 23.10.2024 to this effect, which have failed to elicit a response.
6. Mr. Lalitaksh Joshi, learned counsel for Government of National Capital Territory of Delhi, has taken instructions, and submits that the Gram Sabha, which was the contesting party before the Financial Commissioner has not been made a party.
7. Having regard to the order already passed by the Financial Commissioner, I am of the view that the appropriate course is to direct the SDM to take an appropriate decision within a limited timeframe.
8. The writ petition is, therefore, disposed of, with a direction upon the concerned SDM to take appropriate consequential steps in terms of the order of the Financial Commissioner within a period of four weeks



from today positively, upon notice to the Gram Sabha.

PRATEEK JALAN, J

JULY 28, 2025
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