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

+ **W.P.(C) 16992/2025 & CM APPL. 69865/2025**

AKSHAY KUMAR

.....Petitioner

Through: Mr. A K Singla Sr. Adv. with Mr.
Sahil Kumar, Ms. Sayantani Basak &
Mr. Rohan Sehrawat, Advs.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Nitika Bhutani, Adv. for R1.
Ms. Tajinder Viridi, Adv. for R2.
Mr. Shashi Pratap Singh, Ms.
Aishwarya Bhatia & Ms. Anamika
Tyagi, Advs. for R3.
Mr. Anuj Chaturvedi & Ms. Shivani
Thakur, Advs. for R4.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

10.11.2025

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1. This petition is filed seeking directions to the respondents to carry out the demarcation of the land pleaded to be belonging to the petitioner, measuring 6 biswa in khasra no.95 in the revenue estate of village Azadpur, Delhi.
2. The controversy involved in this petition is as to which agency has the authority to carry out the demarcation after urbanization of the land in question.
3. Learned counsel for the petitioner places reliance upon order dated 08.10.2025 passed in W.P.(C) 12524/2025 titled **Rajesh Kumar & Anr. v.**



DDA & Anr. in which the following order was passed:-

“1. Further to order dated 19.09.2025, Mr. Lalitaksh Joshi, learned counsel for Government of National Capital Territory of Delhi [“GNCTD”], and Ms. Prabhsahay Kaur, learned Standing Counsel for Delhi Development Authority [“DDA”], state that this petition may also be disposed of in terms of the directions passed in Luv Nagpal & Anr. v. Govt. of NCT of Delhi [W.P.(C) 13567/2025, decided on 03.09.2025] [hereinafter, “Luv Nagpal”]. The operative portion of Luv Nagpal is as follows:

“4. The question of whether the revenue authorities or DDA retain jurisdiction to carry out demarcation after urbanisation remains pending before the Full Bench in Original Reference No. 1/2024. However, in order to resolve the petitioners’ grievance while the matter remains pending, Ms. Takiar submits that, without prejudice to the rights and contentions of the parties in Original Reference No.1/2024, DDA will associate itself with the demarcation exercise. Mr. Joshi submits that in all such cases, even if the jurisdiction is with DDA, GNCTD provides necessary support and assistance in carrying out the demarcation proceedings. The demarcation, in any event, is carried out through a third-party agency.

5. Having regard to these submissions, and in order for the exercise of demarcation to be carried out expeditiously, even while the question of jurisdiction remains pending before the Full Bench, the writ petition is disposed of with the direction that DDA and GNCTD may coordinate to carry out the demarcation of the subject land in the presence of the petitioners or their representatives, within a period of four months from today. The expense for the same will be borne by the petitioners.

6. It is made clear that this exercise will be carried out without prejudice to the rights and contentions of DDA and GNCTD before the Full Bench, and



also without prejudice to the rights and contentions of any third party.”

2. The petition is, therefore, disposed of, with the direction that the demarcation exercise in respect of the petitioner’s land bearing Khasra No. 4111 (4-16), 2 (4-16), 3 (4-16), 8 (4-16), 9 (4-16), 10 (4-16), 11 (4- 16), 12 (4-16), 13 (4-16), situated in the revenue estate of Village Lampur, Delhi will be carried out through a third-party agency, in coordination with GNCTD and DDA, within four months from today. The petitioners or their representatives will also be associated with the demarcation exercise, and the petitioners will bear the expense of the same.

3. It is made clear that these directions are subject to any orders passed by the Full Bench in Original Reference No. 1/2024. It is also made clear that this order is passed without prejudice to the rights and contentions of GNCTD and DDA in the said reference.”

4. Learned counsel for the respondent no.3 is not disputing the fact that similar matter has been disposed of by this Court with the directions to carry out demarcation, subject to the outcome of the Larger Bench of this Court where the issue with regard to authority which has to carry out the demarcation after urbanization of the land is pending. However, it is submitted that the petitioner has to establish the title over the land in question.

5. Without commenting upon the merits of the case, this petition is disposed of with liberty to the petitioner to file a detailed representation within three weeks before respondent no.1, 3 and 4 establishing the title and with a request for demarcation of the land as an interim measure till the decision of the Larger Bench.

6. The respondents in coordination with each other, before proceeding as per the directions given in **Rajesh Kumar & Anr.** (supra), shall first deal with the title issue and if decided in favour of the petitioner, the directions of



this Court in **Rajesh Kumar & Anr.** (supra) shall be complied with. The rights of the respondents shall not be prejudiced by this exercise. Let the needful be done within four months from the receipt of the certified copy of the order.

AVNEESH JHINGAN, J

NOVEMBER 10, 2025
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