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

+ **W.P.(C) 18389/2025 & CM APPL. 76183/2025**

**HOSHIAR SINGH NOW DECEASED THROUGH LRS
& ORS.**

.....Petitioners

Through: Mr. Balbir Singh, Ms. Aditee Mathur
& Mr. Swapnil Gupta, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Vikrant N Goyal, Mr. Kunal
Dixit, Mr. Piyush Wadhwa & Mr.
Yash Basoya, Advs.
Ms. Avni Singh & Mr. Vaibhav
Sharma, Advs. for R- 2 & 3.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER
03.12.2025

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1. This petition is filed seeking quashing of order dated 10.04.2013 passed under Section 81 of Delhi Land Reforms Act, 1954 (for short '1954 Act') and the direction is sought to the Deputy Commissioner District North-West Delhi to decide the appeal of the petitioner in a time-bound manner.

2. The following issues are pending before the Larger Bench of this Court:

“a. Whether the law as expounded in Sanvik Engineers by the learned Single Judge and the proposition of law in LPA 295/2024 titled Subnam Gupta (Sabnam Gupta) vs. Union of



India & Ors laid down by the learned Division Bench is the correct proposition of law?

b. Whether there is a divergence between the ratio of the judgements in Blue Bird Properties Pvt Ltd (Now Blue Bird Properties LLP) vs. Government of NCT of Delhi & Ors., and judgement dated 25.04.2023 in LPA 188/2022 and Subnam Gupta Sabnam Gupta dated 15.04.2024 in LPA 295/2024? if so, which judgement lays down the correct law?

c. Whether the judgement of the Supreme Court in Mohinder Singh laying down the law that post notification u/s 507(a) of DMC Act 1957, the provisions of DLR Act, 1954 cease to apply and the proceedings pending thereunder would be non est in law would relegate the parties to the lis, to the alternate remedy of civil law redressal before the competent court of civil jurisdiction? if so, at what stage and to what effect?

d. A Judicial clarity be rendered as to what would be the remedy available to various stakeholders who are as on the date of notification under section 507(a) DMC Act, 1957, at different stages of proceedings contemplated under the DLR Act, 1954?

e. Though not arising from the above, however, many such cases are being regularly filed under the provisions of EPH Act, 1948 in similar circumstances, whether the judgement of the Supreme Court in Mohinder Singh laying down the law that post notification u/s 507(a) of DMC Act 1957, the provisions of DLR Act, 1954 cease to apply and the proceedings pending thereunder would be non est in law would also apply in a similar fashion to proceedings pending under EPH Act, 1948 since definition



of the word "land" appears to have commonality between the two enactments? if so, to what effect?(regard may be had to the judgement dated 01.11.1997 passed the learned division bench of this Court in C.W. No. 2253 of 1997 captioned as Umed Singh vs. Government of N.C.T. of Delhi & Ors. reported in (1997) 69 DLT 957 (DB).”

3. The issue pending before the Larger Bench is as to whether the pending proceedings can be continued inspite of the urbanization of the land by the authorities under the 1954 Act.
4. In view of the above factual position, this petition is disposed of at this stage with the direction that the appellate authority shall immediately take up the appeal after the decision of the Larger Bench and proceed expeditiously as per the decision.
5. In the eventuality of the appellate authority not having jurisdiction, the matter shall be transferred to the concerned forum or the petitioner would be at liberty to avail remedies in accordance with law.

AVNEESH JHINGAN, J

DECEMBER 3, 2025

‘JK’