



\$~79

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

+ **W.P.(C) 19243/2025 & CM APPL. 80281/2025**

M/S GODFREY PHILLIPS INDIA LIMITEDPetitioner

Through: Mr. N.S. Dalal, Ms. Nidhi Dalal, Mr.
Alok Dev, Mr. Alok Kumar, Ms.
Rachana Dalal & Mr. Karan Mann,
Advs.

versus

GOVT. OF NCT OF DELHI & ANR.Respondents
Through: Ms. Urvi Mohan, Adv. for GNCTD.

CORAM:
HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER
18.12.2025

%

1. This petition is filed seeking a direction to the respondents not to proceed further with Appeal No. 30 of 2003, titled as 'Gaon Sabha Dera Mandi Vs. Godfrey Phillips (India) Limited' in view of pendency of O. Ref. No. 1 of 2024 before the Larger Bench of this Court.

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 inspite of the urbanization of the land, the pending proceedings can be continued 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 18, 2025

‘JK’