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

+ W.P.(C) 1626/2026

PARDEEP KUMAR

.....Petitioner

Through: Mr. Rajbir Singh, Mr. Umesh Yadav
and Mr. Uday Sharma, Advocates.

versus

ADDITIONAL DISTRICT MAGISTRATE (LAND ACQUISITION)
AND ORS.

.....Respondents

Through: Mr. Sanjay Kumar, SC with Mrs. K.
K. Kiran Pathak, Mr. Sunil Kumar
Jha, Mr. Mohd. Sueb Akhtar & Mrs.
Joohu Kumari, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

05.02.2026

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1. The Petitioner is the joint owner in possession of 1/28th share of land comprised in Khata No. 119/110 Khasra Nos. 1//633 (2-5), 649 (5-9) and 75 (7-15), admeasuring 15 Bighas 09 Biswas, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, New Delhi.
2. The Petitioner executed a Gift Deed in respect of his aforesaid share in favour of his wife, Ms. Jyoti. The said Gift Deed was duly presented before Respondent No. 3 (Sub-Registrar-IX A) for registration. However, the document has not been processed further and remains pending.
3. The reason cited for non-processing of the Gift Deed is the absence of mandatory permission/No Objection Certificate (“NOC”) from Respondents No. 1 and 2. Despite representation(s), neither has the document been registered nor has any formal order of refusal been passed, thereby constraining the Petitioner to invoke the writ jurisdiction of this Court.
4. Counsel for the Respondents submits that the land in question is



stated to be under consolidation proceedings and may also be affected by acquisition, and therefore, in the absence of requisite permissions and verification of land status from the competent authorities, the Sub-Registrar could not proceed with registration of the Gift Deed.

5. Insofar as the insistence on an NOC founded on the pendency of consolidation proceedings is concerned, this Court in ***Okaya Infocom Pvt. Ltd. & Anr. v. Govt. of NCT of Delhi & Anr.***¹, while dealing with the registration of sale deeds, held that having regard to the prolonged nature of consolidation proceedings, registration of such documents cannot be indefinitely withheld solely on the ground of non-availability of an NOC. The Sub-Registrar was directed to proceed in accordance with law, without insisting upon any sanction, approval, or NOC linked exclusively to consolidation proceedings.

6. The aforesaid legal position, though rendered in the context of sale deeds, was reiterated by this Court in ***Jeevantika Organic Farming LLP v. Govt. of NCT of Delhi & Ors.***², wherein, while taking note of the stand of the Government, this Court balanced equities by requiring the intending purchaser(s) therein to furnish an undertaking. The underlying principle, namely that registration cannot be stalled indefinitely on account of pending consolidation proceedings, is equally applicable to the present case.

7. In view of the aforesaid legal position, and having regard to the facts of the present case, this Court is of the opinion that the writ petition can be disposed of by issuing directions in similar terms.

8. Accordingly, it is directed as under:

¹ In *W.P.(C) 12122/2021*, decided on 10th November, 2023.

² In *W.P. (C) 12083/2025 & other connected matters* decided on 12th August, 2025.



(i) The Petitioner shall file an undertaking by way of an affidavit stating that the factum of this order shall be disclosed in the event of any further transaction relating to the subject land, prior to the conclusion of the consolidation proceedings. Let the said undertaking be filed within a period of two weeks from today. Upon filing of such an undertaking, the Petitioner shall remain bound thereby.

(ii) Any breach of the aforesaid undertaking shall entail consequences in accordance with law. The said undertaking shall also form part of the registered Gift Deed, so as to put any subsequent transferee to notice of the subsisting undertaking.

(iii) Subject to verification of the land acquisition status by the competent authority, and in line with the decisions in ***Okaya Infocom Pvt. Ltd.*** and ***Jeevantika Organic Farming LLP***, it is directed that the registration of the Gift Deed executed on 27th March, 2025, pending before Respondent No. 3 shall not be refused solely on the ground of pendency of consolidation proceedings or non-availability of any NOC in that regard, and shall be processed further in accordance with law.

(iv) It is clarified that the registration shall be without prejudice to the pending consolidation proceedings and shall remain subject to the rights, claims, and contentions of third parties, if any.

9. With the following directions, the petition is disposed of along with pending application(s), if any.

SANJEEV NARULA, J

FEBRUARY 5, 2026/hc