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

+ **W.P.(C) 1628/2026**

RAM NIWAS

.....Petitioner

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

versus

A.D.M. (LA) (SOUTH - WEST) AND ORSRespondents

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

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05.02.2026

1. The Petitioner is a co-owner/co-sharer in possession of 1/4th share of agricultural land comprised in Khata No. 6/6 min. Khasra No. 1 etc.//54/1 (6-08), 56 (3-07), 170/2 (1-18), 183 (3-0), 337 (13-07), 434 (1-07), 463 (0-4), 498 (1-6) and 601/1 (4-3), admeasuring approximately 35 Bighas, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, New Delhi.
2. The Petitioner proposes to (i) sell part of his share and (ii) gift the remaining share in favour of his wife. In this regard, a Sale Deed and a Gift Deed were presented before Respondent No. 3 (Sub-Registrar-IXA). However, both documents have not been processed further and remain pending.



3. The reason cited for non-processing of the documents is the absence of mandatory sanction/NOC from Respondents No. 1 and 2 on account of pendency of consolidation proceedings in the village. Despite representations and applications dated 25th October, 2025 and 5th January, 2026, neither sanction has been granted nor any formal order of refusal has been communicated, constraining the Petitioner to invoke writ jurisdiction of this Court.

4. Counsel for the Respondents submits that since the land is under consolidation proceedings, the Sub-Registrar could not proceed with registration without verification and permission from the competent authority.

5. Insofar as insistence on sanction/NOC on account of pending 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 has been reiterated in subsequent decisions, including 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

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.



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:

(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 undertaking shall also form part of the registered Sale Deed and Gift Deed so as to put any subsequent transferee to notice.

(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 Sale Deed and the Gift Deed, 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