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

\+ W.P.(C) 2062/2026 & CM APPLs. 10053/2026, 10054/2026

RAM KHILARI THROUGH LRS .....Petitioner

Through: Dr. Suman Chaudhary and Mr. Vishvender Singh, Advocates.

versus

TEHSILDAR JHATIKRA & ORS. .....Respondents

Through: Mr. Lalltaksh Joshi and Ms. Minu Kumari, Advocates for R-1 & 2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

<u>O R D E R</u>

% 10.03.2026

1. The dispute arises from mutation entries recorded in respect of the land in question by the revenue authorities. Aggrieved by the orders passed by the SDM and the Tehsildar, the Petitioners preferred a revision petition before the Court of the Financial Commissioner. Their principal contention was that the land in question had already been urbanised pursuant to a notification issued under Section 11-A of the Delhi Development Act, 1957 and, consequently, the SDM lacked jurisdiction to record mutation entries under the provisions of the Delhi Land Reforms Act, 1954. The Financial Commissioner considered the aforesaid contention and passed the impugned order in the following terms:

> *"1. It is noted that during the previous hearing dated 26.11.2025, it has been mentioned in para 3 ----- the Petitioner has relied upon a forged and fabricated will dated 01.09.2000" the same may be read as ----- it has been however contended by the Petitioner that the*

Respondents had relied upon a forged and fabricated will. Thus, it may be read as an allegation of petitioner against the respondent.

2. The Counsel for the Petitioners contended that the present Petition has been filed under Section 187 of the Delhi Reforms Act, 1954 against the mutation entries dated 24.08.2020 passed by R-1 Tehsildar, Village Kanganheri and as well as entries dated 20.02.2020 & 21.08.2020 passed by R-2, SDM/RA.

3. The Counsel for Petitioners further contended that the Predecessor-in-interest of present petitioner Late Sh. Ram Khiladi was the owner and in possession of the suit property to the extent of 1/3rd share, comprising of 11/112/1(0-03), 13(4-06), 17/11/2(2-01), 171/2/2 (2-02), 18 (4-03), 19/2 (145); 22(4-16), 24/1 (3-04), 29(10-05)14//2/1 (1-06), 26(0-04), 3/1(1-06), 4111/1 (0-7) admeasuring 31 Bigha and 04 Biswa of agriculture land situated in the Revenue Estate of Village Jhatikra, Delhi. Sh. Ram Khiladi died on 26.11.2023. The counsel for the petitioners also contended that the respondent herein have relied upon a forged and fabricated Will dated 01.09.2000 purported to be executed by Late Sh. Gulab Singh and the said Will was challenged by the Late Sh. Ram Khiladi and after the demise of Late Sh. Ram Khiladi his legal heirs i.e. present applicants/objectors have challenged the said Will by filing a Second Appeal before the Hon'ble Delhi High Court, Delhi where the matter is pending adjudication.

4. Counsel for Petitioners further contended that an objection application under Order 7 rule 11 CPC is also pending before the court of S.D.M/RA, Kapashera for dismissal of pending proceedings u/s 23 of DLR Act regarding mutation entries made vide order dated 24.08.2020 and same is fixed for 05.01.2026.

5. It is noted that the land involved in the present case falls under Village "Kanganheri". Ministry of Urban Development (Delhi Division) vide notification No.S.O.1744E dated 18.06.2013 in exercise of powers conferred by sub-section (2) of Section 11-A of the Delhi Development Act, 1957 made modification in the Master Plan for Delhi-2021 and declared the revenue estate of the said village 'Kanganheri' as Low Density Residential Areas (LDRA).

6. Keeping in view the fact that proceedings are pending before the SDM/RA, the interim protection (no coercive action) granted vide previous order dated 26.11.2025 stands vacated and in the interest of justice, the matter is remanded back to the SDM (S.W.). The SDM may look into the matter including the aspect of jurisdiction of revenue authorities post LDRA notification and pass a speaking order preferably within next three months.

7. The revision petition bearing no. 208/2025 is accordingly disposed of in terms of the above.

8. File be consigned to record room after completion."

2. A perusal of the aforesaid order indicates that the Financial Commissioner has expressly noted the issue relating to the jurisdiction of the revenue authorities in view of the LDRA notification dated 18th June, 2013 and, in that backdrop, remanded the matter to the SDM for reconsideration and for passing a reasoned speaking order.

3. In view of the aforesaid observations and considering that the SDM has already been directed to examine the question of jurisdiction of the revenue authorities, the present writ petition, in the opinion of the Court, is premature and does not warrant interference at this stage.

4. Accordingly, the present petition is disposed of with a direction that the SDM shall comply with the directions issued by the Financial Commissioner in the impugned order and conclude the proceedings within the timeline stipulated therein.

5. Disposed of along with pending application(s). All rights and contentions of the parties are left open.

6. It is made clear that while complying with the directions issued by the Financial Commissioner, the SDM shall specifically examine the question of jurisdiction of the revenue authorities in relation to the mutation entries that were recorded and pass a speaking order as directed by the Financial Commissioner.

SANJEEV NARULA, J

MARCH 10, 2026
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