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

+ **W.P.(C) 2351/2026 & CM APPLs. 11403-11404/2026**

MR RAM KUMAR GOEL

.....Petitioner

Through: Mr. Yashwant Singh and Mr. Harshit
Anand, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

.....Respondents

Through: Mr. R.K. Dhawan, Standing Counsel
with Ms. Nisha Dhawan, Mr. Pawan
Karan Deo and Mr. V.K. Teng,
Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **18.02.2026**

1. The Petitioner claims to be the lawful owner of the subject property,¹ having acquired the same in the year 1991 by registered deeds of conveyance dated 15th March, 1991 and 4th May, 1991. It is stated that the property was mutated in his favour as reflected in O-4 Sumar No. 1249 (Misal No. 738/91-92) and O-4 Sumar No. 1251 (Misal No. 740/91-91) dated 22nd May, 1992.

2. The grievance of the Petitioner is that, in the year 2012, a mutation entry came to be recorded in the revenue records in favour of a third party, Respondent No. 4, Shri Rakesh, pursuant to Order No. M-778/THE./S.V./2011-2012 dated 28th May, 2012 in the case titled '*Anoop*

¹ Land measuring 3 Bighas and 6 Biswas comprised in Khasra Nos. 16/7 (1-10) min., and 16/13 (1-16) min., situated in the revenue estate of Village Ghewra, Delhi.



Kumar Agarwal vs. Mukesh Chander.’ The Petitioner asserts that the said entry is fraudulent, without jurisdiction, and contrary to record.

3. Aggrieved thereby, the Petitioner preferred an appeal under Section 64B of the Delhi Land Reforms Act, 1954² before the Collector/Deputy Commissioner, North-West, Kanjhawala, Delhi, challenging the said mutation.

4. At a subsequent stage, the said appeal came to be withdrawn by the Petitioner’s counsel. The Petitioner asserts that this was done without his consent. Be that as it may, an application for restoration was thereafter filed. During the pendency of these proceedings, the land in question was urbanised by virtue of a Gazette Notification dated 6th May, 2017 issued under Section 507(a) of the Delhi Municipal Corporation Act, 1957.³

5. As a consequence of such urbanisation, the provisions of the Delhi Land Reforms Act ceased to apply. The issue is no longer *res integra*. In ***Mohinder Singh (Dead) Through LRs & Anr. v. Narain Singh & Ors.***,⁴ the Supreme Court held that upon issuance of a notification under Section 507 of the DMC Act urbanising the area, the DLR Act ceases to apply, and the authorities thereunder lack jurisdiction to continue proceedings.

6. In view of the above, the Petitioner asserts that despite his title over the property, he has been rendered remediless and has now invoked the jurisdiction of this Court, seeking the following prayers:

“1. Issue a Writ of Mandamus or any other appropriate writ, order or direction directing the Respondent No 1 – Delhi Development Authority to effect mutation of the Petitioners land measuring 3 Bighas and 6 Biswas comprised in Khasra Nos.

² “DLR Act”

³ “DMC Act”

⁴ 2023 SCC OnLine SC 261.



- 16/7 (1-10 min.) and 16/13 (1-16 min.), Village Ghewra, Delhi, in favour of the Petitioner based on his registered title documents and prior mutation order dated 22.05.1992;*
- 2. Alternatively, issue a Declaratory Direction to the Respondent No 1 and Respondent No 2 to frame and notify an appropriate procedure for dealing with mutation and record updation of lands which have transitioned from rural to urban character.*
 - 3. Issue a Writ of Certiorari/Mandamus directing the relevant revenue authorities to treat the mutation entry recorded in the year 2012 in favour of Respondent No 4 as void, and inoperative for the purposes of updating the urban land records, as the sale deed relied upon for mutation was not in the name of the person in whose favour mutation was sanctioned, and the property description contained in the sale deed did not correspond to the subject khasra numbers owned by the client and is as such contrary to the lawful title held by the Petitioner;*
 - 4. Issue a Declaratory Direction holding that the refusal/inability of the authorities to correct the fraudulent revenue entries post-urbanisation due to a “legal vacuum” constitutes a violation of the Petitioner’s rights under Article 300A of the Constitution of India;*
 - 5. Issue a Protective Order/Direction restraining the Respondents No 4, his agents, assignees, or representatives from creating any third-party interest, selling, alienating, or parting with possession of the subject land based on the impugned fraudulent mutation entry of 2012 during the pendency of the record correction process;”*

7. Mr. R.K. Dhawan, Standing Counsel for Respondent No. 1, submits that in view of the notification issued under the Municipal law, the DDA does not perform any role with respect to recording mutation in such circumstances.

8. The Court has heard counsel for the Petitioner. It emerges that the Petitioner and Respondent No. 4 are already engaged in civil litigation before the competent Civil Court at the Rohini District Court, where the Petitioner, as Plaintiff, is seeking declaratory relief in respect of the very same property. Thus, a clear dispute as to title exists between the parties.



9. It must also be noted that the Petitioner seeks a direction to Respondent No. 1/Delhi Development Authority (“DDA”) to effect mutation of the subject land in his favour on the basis of his title documents. However, the validity and efficacy of those very title documents form the substratum of the pending civil dispute between the Petitioner and Respondent No. 4. Mutation, particularly where it is founded upon title, cannot be directed in isolation when the foundational issue of ownership is *sub judice*.

10. Moreover, post-urbanisation, the role of the DDA or the Municipal Corporation, being agencies concerned with urban land management and provision of municipal services, does not extend to adjudication of disputed title. Any mutation in their records cannot be divorced from the underlying title dispute. In such circumstances, directing mutation in exercise of writ jurisdiction would, in effect, amount to granting a relief that is intrinsically dependent upon the outcome of the pending civil proceedings.

11. In light of the foregoing, the Court finds no basis to exercise its extraordinary jurisdiction under Article 226 of the Constitution. The Petitioner, if so advised, can take recourse to the appropriate civil remedies in accordance with law.

12. The Court has not commented on the merits of the case and all rights and contentions of the parties to that effect, are left open.

13. Disposed of along with pending applications.

SANJEEV NARULA, J

FEBRUARY 18, 2026/as