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

+ **W.P.(C) 2523/2026**

SANTOSH

.....Petitioner

Through: Mr. Rajbir Singh Ruhil, Mr. Umesh
Yadav, Advocates.

versus

**ADDITIONAL DISTRICT MAGISTRATE (LAND ACQUISITION)
AND ORS.**

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mrs. K. Kaomudi Kiran
Pathak, Mr. Sunil Kumar Jha, Mr.
M.S. Akhtar, Ms. Joohu Kumari,
Advocates for R-1/ADM.
Ms. Rachita Garg, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.02.2026

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1. The Petitioner is a co-owner in possession of 1/4th share in agricultural land comprised in Khata No. 119/110, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, New Delhi. The land *inter alia* includes Khasra Nos. 1//633 (2-5), 649 (5-9) and 75 (7-15), admeasuring approximately 15 Bigha 09 Biswa.

2. The Petitioner executed two Sale Deeds on 27th March, 2025, one in favour of Ms. Sunil Kumari and another in favour of Ms. Jyoti, and presented the same for registration before Respondent No. 3 (Sub-Registrar IX-A). The said documents remain pending and have not been registered.



3. The registration has been withheld on the ground that the land is situated in a village where consolidation proceedings are stated to be ongoing, and sanction under Section 30 of the East Punjab Holdings (Consolidation and Fragmentation) Act, 1948 is required.

4. It is stated that consolidation proceedings in Village Mundhela Khurd commenced in the year 1971 and are continuing till date. The Petitioner applied for issuance of Land Status Report/NOC before Respondent No. 1 and thereafter sought sanction from Respondent No. 2. However, no decision, either granting or refusing sanction, has been communicated.

5. Counsel for the Respondents submits that in view of the pendency of consolidation proceedings, the Sub-Registrar cannot proceed with registration without prior sanction from the competent authority.

6. 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.

7. 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

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.



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.

8. 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.

9. 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 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 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.



10. With the above directions, the petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 25, 2026/ab