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

+ W.P.(C) 3518/2026, CM APPL. 16986/2026, CM APPL. 16987/2026
M/S DELHI INFRATECH LIMITEDPetitioner

Through: Mr. Piyush Pathak, Mr. Pranab
Kumar, Mr. Rohit Yadav, Advocates

versus

DELHI REAL ESTATE REGULATORY AUTHORITY
& ANR.Respondent

Through: Mr. Siddharth Panda with Mr. Anil
Pandey, Advocates for respondent no.
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CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **18.03.2026**

1. The petition is for setting aside order dated 11.07.2024, whereby, the respondent no.1-Delhi Real Estate Regulatory Authority (Authority) has partly allowed the complaint filed by respondent no. 2 under Section 31 of the Real Estate (Regulation Development) Act, 2016 (RERA, 2016).
2. The impugned order is assailed primarily on the ground that the Authority lacks inherent jurisdiction to entertain the complaint. As per the petitioner, the project with respect to which impugned order has been passed (project in question) is incapable of being registered under Section 3 of the RERA, 2016.
3. The petitioner claims to be engaged solely in the activity of aggregation of land with the object of surrendering the same to the Delhi Development Authority (DDA) under the Delhi Land Pooling Policy (Policy) framed under the Delhi Development Act, 1957 and the petitioner



does not have any control over the same till the requisite approval is granted. It is submitted that the project in question has not yet been approved by the DDA and, as such, the project cannot yet be executed, and therefore, there does not exist, any 'real estate project' that could be registered under section 3 of RERA.

4. The petitioner also places reliance on the decision of the High Court of Bombay in *Mohammed Zain Khan v. Emnoy Properties India A Limited*,¹ and the decision of the High Court of Madras in *M/s Devinarayan Housing and Property Developments Pvt. Limited v. Manu Karan and others*,² in support of the submission that the Authority does not have jurisdiction to entertain complaints with respect to unregistered real estate projects.

5. List on 05.05.2026 for further submissions.

PURUSHAINdra KUMAR KAURAV, J

MARCH 18, 2026/ar

¹ Judgement dated 25.04.2024 in S.A. No. 209 of 2022.

² Judgment dated 20.09.2023 in C.M.S.A. Nos. 23 & 24 of 2020.