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

+ W.P.(C) 4100/2026

SUBHASH CHAND

.....Petitioner

Through: Mr. Viksit Singh, Mr. Deepanshu
Malik and Mr. Sunny, Advocates.

versus

GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through: *Appearance not given.*

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **13.04.2026**

1. The Petitioner asserts to be the recorded co-bhumidar/co-owner in possession of 5/45th share of agricultural land comprised in Khata No. 93/85, bearing Khasra No. 1 etc./146(0-16), 216(0-3), 217(19-15), 307(25-11), 372(14-1), 376(30-7), 502(2-13), 543(7-17) and 612(7-10), admeasuring 12 Bigha 1 Biswa 9 Biswani, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, New Delhi.

2. The case of the Petitioner is that he, being a recorded co-bhumidar and in possession of his share in the subject land, has entered into arrangements for (i) sale of a portion of his share in favour of the intending purchasers, and (ii) execution of a gift deed in favour of his spouse, owing to *bona fide* personal and financial requirements. Copies of the proposed Sale Deed and Gift Deed form part of the record.



3. It is stated that the registration of the aforesaid documents has been impeded on account of the insistence by the authorities on production of a No-Objection Certificate [“NOC”] and/or sanction from the competent authority, on the ground that consolidation proceedings in the concerned village are pending.

4. Counsel for the Respondents submits that the subject land is stated to be under consolidation proceedings, and therefore, processing of the aforesaid documents has not been undertaken in the absence of such NOC/sanction from the competent authority.

5. Insofar as insistence on NOC/sanction on account of pending consolidation proceedings is concerned, this Court in ***Okaya Infocom Pvt. Ltd. & Anr. v. Govt. of NCT of Delhi & Anr.***¹, 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 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.

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.



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 and the intending purchaser(s) shall file undertaking(s) by way of an affidavit stating that the factum of pendency of consolidation proceedings and this order shall be disclosed in the event of any further transaction relating to the subject land, including the proposed Sale Deed and Gift Deed, prior to the conclusion of the consolidation proceedings. Let the said undertaking(s) be filed within a period of two weeks from today. Upon filing of such undertaking(s), the Petitioner and the intending purchaser(s) shall remain bound thereby.

(ii) Any breach of the aforesaid undertaking(s) shall entail consequences in accordance with law. The undertaking(s) shall also form part of the proposed 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 shall not be refused solely on the ground of pendency of consolidation proceedings or non-availability of any NOC/sanction 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. In the above terms, the petition is disposed of, along with any pending application(s).

SANJEEV NARULA, J

APRIL 13, 2026

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