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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4709/2026 & CM APPL. 23028/2026**

MS NEX AVENUE ESTATES PRIVATE LIMITEDPetitioner

Through: Mr. Rajesh Yadav, Senior Advocate
with Mr. S.S. Rana, Ms. Ruchira
Arora, Mr. P.S. Anroop and Mr.
Gopal Rana, Advocates.

versus

THE GOVT. NCT OF DELHI AND ANR.Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
09.04.2026

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1. The Petitioner is a private limited company, incorporated and registered under the provisions of the Companies Act, which has purchased land admeasuring 1 Bigha 17 Biswa, comprised in Khasra Nos. 144//152 min (0-15) and 144//153 (1-2), situated in the revenue estate of Village Kanjhawala, Delhi.
2. By way of a Sale Deed dated 17th July, 2025, the Petitioner entered into a transaction for purchase of the aforesaid land. The said Sale Deed was presented before Respondent No. 1 for registration on the same date, and a receipt acknowledging presentation was issued. However, the document was not registered, and subsequently, a refusal order dated 21st July, 2025 came to be passed by Respondent No. 1 declining registration.
3. The refusal is premised on the ground that the subject land falls in a



village where consolidation proceedings are stated to be pending, and that registration of the document cannot be proceeded with for want of NOC/permission. Aggrieved thereby, the Petitioner has invoked the writ jurisdiction of this Court.

4. Insofar as insistence on 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 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.

5. 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.

6. In view of the aforesaid legal position, and having regard to the facts of the present case, this Court finds that the impugned Refusal Order, being founded solely on the pendency of consolidation proceedings and the insistence on an NOC/permission, cannot be sustained in law. Accordingly, the Refusal Order dated 21st July, 2025 is set aside, and the following

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.



directions are issued:

- (i) The affidavit/undertaking already placed on record on behalf of the Petitioner, in terms of the judgment of this Court in ***Okaya Infocom Pvt. Ltd.***, is taken on record and accepted. The Petitioner shall remain bound by the same.
 - (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/permission 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.
7. With the aforesaid directions, the petition is disposed of.

SANJEEV NARULA, J

APRIL 9, 2026/as