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

+ **W.P.(C) 6008/2026 & CM APPL. 29582/2026**

SH. ASHISH DABAS & ANR.

.....Petitioners

Through: Mr. Ashutosh Rana, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Mr. Sunil Kumar Jha, Mr. M. S. Akhtar, Ms. Joohu Kumari and Mr. Kushagra Dixit, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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04.05.2026

1. The Petitioners are the purchasers of immovable property comprising:
(i) residential land admeasuring 04 biswa and 15 biswasi out of Khasra Nos. 142/216 (0-02) South, 142/217 & 218 (0-07), 142/403 (0-02), 142/404 & 405 (0-07); and (ii) industrial land admeasuring 03 biswa and 05 biswasi out of Khasra Nos. 143/839 (0-05), 143/893 (0-2.5) and 143/85 (0-05), situated in Lal Dora of Village Kanjhawala, Delhi - 110081.
2. It is stated that the aforesaid property was purchased by the Petitioners from the erstwhile owner, Mr. Ajay Kumar, for valid sale consideration, and a Sale Deed dated 30th March, 2026 was duly executed in their favour.
3. It is further stated that the said Sale Deed was presented before Respondent No. 2, i.e., E-Sub-Registrar VI-D, on 30th March, 2026, and a receipt acknowledging presentation of the Sale Deed was issued. However,



Respondent No. 2 has not proceeded to register the document, citing pendency of consolidation proceedings in Village Kanjhawala and non-availability of a No Objection Certificate [“NOC”]. Aggrieved thereby, the Petitioners have approached this Court.

4. Counsel for the Respondents submits that since the land is under consolidation proceedings, any transfer would require NOC/permission and verification by the competent authority.

5. Insofar as insistence on an 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.

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.

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

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.



disposed of by issuing directions in similar terms.

8. Accordingly, it is directed as under:

(i) The affidavit/undertaking already placed on record by the Petitioners, in terms of the judgment of this Court in ***Okaya Infocom Pvt. Ltd.***, is taken on record and accepted. The Petitioners 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.

9. In the above terms, the petition is disposed of, along with the pending application.

SANJEEV NARULA, J

MAY 4, 2026/hc