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

+ **W.P.(C) 6757/2026 & CM APPL. 33235/2026**

SATISH BERY AND ORS

.....Petitioners

Through: Mr. M.K. Khanna, Ms. Anisha, Mr.
Manish Kumar, Mr. Aryan,
Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel for R-1 with Mrs. K.
Kaomudi Kiran Pathak, Mr. Sunil
Kumar Jha, Mr. M.S Akhtar, Mr.
Kushagra Dixit, Advocates.
Mr. Shashi Pratap Singh, Ms.
Laqshyaa Saluja, Advocates for R-2.
Ms. Harshita Nathrani, Advocate for
Mr. Sameer Vashisht, Standing
Counsel (Civil) for R-3 & 4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

15.05.2026

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1. The Petitioners claim interest in land comprised in Khasra No. 1168 of Johar stated to be situated in Mehrauli and Khasra No. 1169 admeasuring 74.2 bighas situated in Kishan Garh, Mehrauli.
2. The case set up by the Petitioners is that the subject land, presently reflected in the updated revenue records under Khasra Nos. 1168 and 1169, was earlier recorded under Khatauni Nos. 739 and 735 in the names of the Petitioners' predecessors-in-interest and continued to remain so in the revenue records up to the year 1983. It is asserted that during the

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revision/update of revenue records carried out around 1987, the earlier entries came to be renumbered as Khasra Nos. 1168 and 1169 and, in the updated records, the ownership of the subject land was shown as vesting in the Gram Sabha, allegedly without any notice, intimation or initiation of proceedings against the Petitioners or their predecessors-in-interest. In support of these assertions, reliance is placed upon copies of the relevant revenue records for the year 1983 as well as the updated revenue records for the year 1987.

3. The record further reflects that the Petitioners had earlier approached this Court by way of W.P.(C) 12165/2021, seeking substantially similar reliefs, namely, directions to the authorities to furnish information concerning the subject land. The said writ petition came to be disposed of by order dated 27th October, 2021, which reads thus:

“W.P.(C) 12165/2021

The sole relief which is prayed for on this writ petition is that the respondents be commanded to act upon the applications made by the petitioner under the RTI Act, 2005 and to provide the requisite information.

Mr. Ashim Vaccher, learned counsel appearing for the respondents fairly states that the information which is sought shall be duly provided by the respondents with expedition. Mr. Vaccher, learned counsel further apprises the Court that the land in question never formed subject matter of acquisition.

Let the respondents consequently in light of the statement made above provide the requisite information to the petitioner within a period of three weeks from today.

In view of the above, and since concededly nothing survives in this writ petition, it shall stand disposed of.”

4. The material placed on record indicates that subsequent to the aforementioned order, the Petitioners filed applications under the Right to Information Act, 2005 [“RTI Act”] before various authorities including the



DDA, Revenue Department and the office of the Land Acquisition Collector. The record contains, *inter alia*, a communication dated 29th August, 2025 issued by the PIO, BDO (South), and a communication dated 22nd December, 2025 issued by the Section Officer, LA (South), indicating that responses had been furnished to the RTI applications preferred by the Petitioners. Although copies of the information supplied have not been placed on record, Mr. M.K. Khanna, counsel for the Petitioners, contends that the information furnished is incomplete and does not adequately address the Petitioners' queries concerning the subject land.

5. The maintainability of the present petition must, therefore, be examined on the assumption that the information supplied is incomplete or inadequate. The question that then arises is whether the present writ petition seeking the following reliefs can at all be entertained:

“a) Issue an appropriate writ, order or direction in the nature of Mandamus directing the Respondents to furnish complete, correct and certified information, records and documents relating to the subject land/property as sought by the Petitioners through their applications under the Right to Information Act, 2005.

b) Issue an appropriate writ, order or direction directing the Respondents to trace, verify and place on record the complete revenue, acquisition, ownership and departmental records pertaining to the subject land and disclose the present status thereof before this Hon'ble Court;

c) Direct the Respondents to conduct a joint survey/inquiry and verification through competent officers regarding the status, ownership and records of the subject land and to file a status report before this Hon'ble Court;

d) Issue an appropriate writ, order or direction directing the concerned Revenue Authorities/Respondents to consider and decide the mutation of the subject land/property in favour of the Petitioners, on the basis of available records and documents, in accordance with law and within a time-bound period;

e) Direct the Respondents to decide and dispose of the Petitioners' representations/RTI applications within a stipulated time in accordance with law”



6. In the considered opinion of this Court, the reliefs now sought cannot be granted in exercise of jurisdiction under Article 226 of the Constitution, having regard both to the stale nature of the claim and the manner in which the Petitioners seek to ventilate their grievance. The Petitioners' foundational complaint relates to the alleged alteration of revenue entries whereby, sometime around 1987, the subject land is shown as vested in the Gram Sabha, yet they have approached this Court nearly four decades later without furnishing any satisfactory explanation for such an inordinate delay. It is well settled that writ jurisdiction is discretionary and that "*delay defeats equity*"; a litigant who sleeps over his alleged rights for a prolonged period cannot, save in the most exceptional circumstances, invoke Article 226 to revive a stale or lapsed cause of action. On the present record, no such exceptional circumstance is either pleaded or demonstrated.

7. Equally, the manner in which the prayers are couched makes it evident that the Petitioners are not laying a structured, substantive challenge to any specific order, notification or entry by which the land is recorded as Gram Sabha land; instead, they seek broad, open-ended directions for tracing and reconstructing historical records, for conducting joint surveys and inquiries, for verifying "*ownership*" and for securing mutation of the land in their favour. Entertaining such omnibus prayers would, in effect, require this Court to convert writ proceedings into a fact-finding and supervisory exercise over revenue administration spanning several decades and to adjudicate complex questions of title and possession that are more appropriately determined in properly constituted civil or revenue proceedings. The Supreme Court has repeatedly underscored that writ courts are not expected to embark upon roving inquiries into disputed questions of



fact, particularly in relation to old and settled entries, nor to rekindle a lapsed cause of action by reopening claims that have long since become stale. On this ground alone, the present petition would merit rejection.

8. Insofar as the Petitioners seek to channel their grievance through the RTI Act, by way of prayer clauses (a) and (e), the Court finds an additional and independent impediment. The material on record shows that the concerned public authorities have responded to the Petitioners' RTI applications; the complaint is not of non-response but of the perceived inadequacy or incompleteness of the information supplied. The RTI Act, however, is a self-contained code providing a multi-tiered appellate and review mechanism, culminating in the Central or State Information Commissions as the final statutory authorities, and it has been emphasised that writ petitions ordinarily ought not to be entertained when such efficacious alternate remedies are available to the aggrieved applicant. The Petitioners, if aggrieved by the nature or sufficiency of the information furnished, must pursue their statutory remedies under the RTI framework; a writ of mandamus cannot be used to bypass or short-circuit that regime merely on the plea that the replies received are not to their satisfaction.

9. Seen in the aforesaid perspective, the present writ petition is not only vitiated by gross delay and laches but is also fundamentally misconceived in the reliefs it pursues. The prayers are couched in vague and sweeping terms and are, in substance, directed towards reopening and revisiting revenue entries of the year 1987, after an inordinate and unexplained lapse of time, and towards securing, through writ directions, what are essentially determinations of title and mutation to be undertaken in appropriate civil or revenue proceedings. To permit such an exercise under Article 226 would



run contrary to the settled principle that the extraordinary jurisdiction of this Court is not a forum for resuscitating stale claims or for supervising roving inquiries into long-settled matters of record. No case is therefore made out for interference under Article 226 of the Constitution of India.

10. Accordingly, the writ petition is dismissed, along with the pending application(s).

SANJEEV NARULA, J

MAY 15, 2026/ab