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

+ W.P.(C) 6966/2026

VIJAY KUMAR

.....Petitioner

Through: Mr. Vineet Dabas, Advocate.

versus

G N C T OF DELHI THROUGH CHIEF SECRETARY & ORS.

.....Respondents

Through: Ms. Nitika Bhutani, Panel Counsel,
GNCTD for R-1 to R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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19.05.2026

1. The Petitioner is the beneficiary/donee under a Gift Deed dated 08th November, 2025 in respect of agricultural land admeasuring 1 Bigha 12 Biswas, out of Khasra No. 77/19 (3-02), situated in the revenue estate of Village Kanjhawala, Delhi - 110081. It is stated that Respondent No. 4, namely Mr. Parveen, was the recorded owner/Bhumidhar in possession of the said land.
2. It is stated that Respondent No. 4, out of love and affection, executed the Gift Deed dated 08th November, 2025 in favour of the Petitioner, who is his uterine blood brother, in respect of the aforesaid land.
3. It is stated that the aforesaid Gift Deed was presented before Respondent No. 3, i.e., the Sub-Registrar, VI-D, Kanjhawala, on 11th November, 2025 after compliance with the requisite legal formalities. However, the document has not been registered on account of pendency of



consolidation proceedings in Village Kanjhawala and the requirement of sanction under Section 30 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Aggrieved thereby, the Petitioner has approached this Court.

4. Counsel for the Respondents submits that since the land is under consolidation proceedings, any transfer would require sanction and verification from the competent authority.

5. Insofar as the insistence on a sanction founded on the pendency of consolidation proceedings is concerned, this Court in ***Okaya Infocom Pvt. Ltd. & Anr. v. Govt. of NCT of Delhi & Anr.***¹, while dealing with the registration of sale deeds, 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/sanction. 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, though rendered in the context of sale deeds, was reiterated by this Court 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

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.



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 affidavit/undertaking already placed on record by the Petitioner 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 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 Gift Deed shall not be refused solely on the ground of pendency of consolidation proceedings or non-availability of any 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. With the foregoing directions, the petition is disposed of, along with the pending application.

SANJEEV NARULA, J

MAY 19, 2026/hc