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

+ **W.P.(C) 7192/2026 & CM APPL. 35245/2026**

MITHILESH TIWARI

.....Petitioner

Through: Mr. Jai Nariyan and Mr. V.P. Dabas,
Advocates.

versus

G. N. C. T. OF DELHI & ORS.

.....Respondents

Through: Mr. Lalitaksh Joshi and Ms. Minu
Kumari, Advocates for R-1,2,3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **22.05.2026**

1. The Petitioner is the purchaser of an Extended Lal Dora Industrial Plot No. 143/720, admeasuring 300 sq. yds., situated in Village Kanjhawala, Delhi - 110081. It is stated that Respondents No. 4 to 6, namely Mr. Radhey Mohan, Mr. Khem Chand and Mr. Shri Chand @ Shrichand, were the recorded co-owners/co-bhumidhars in possession of the aforesaid property.
2. It is stated that the aforesaid property was purchased by the Petitioner from Respondents No. 4 to 6 for valid sale consideration and a Sale Deed dated 03rd February, 2026 was duly executed in favour of the Petitioner.
3. It is further stated that the aforesaid Sale Deed was presented before Respondent No. 3, i.e., the Sub-Registrar, VI-D, Kanjhawala, on 04th February, 2026, 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/NOC under 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 insistence on a 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/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 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 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

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.



same.

(ii) Any breach of the aforesaid undertaking shall entail consequences in accordance with law. The undertaking shall also form part of the 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 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 22, 2026

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