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

+ **W.P.(C) 7509/2026**

SMT. KANCHAN AGARWAL & ANR.

.....Petitioners

Through: Mr. Pranav Gupta, Proxy Advocate.

versus

GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Avni Singh, Panel Counsel for
GNCTD with Mr. Vaibhav Sharma,
Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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25.05.2026

1. Petitioner No. 2 is the beneficiary/donee under a Gift Deed in respect of agricultural land measuring 6 Bighas 18 Biswas comprised in Khasra Nos. 98/12 (3-19) and 19 (2-19), situated in the revenue estate of Village Kanjhawala, Delhi - 110081. It is stated that Petitioner No. 1, namely Ms. Kanchan Agarwal, was the recorded owner of the said land.
2. It is stated that the aforesaid Gift Deed dated 30th December, 2025 was duly executed by Petitioner No. 1 in favour of Petitioner No. 2, after payment of the requisite stamp duty and registration charges. It is further stated that the Gift Deed was presented before Respondent No. 2, i.e., the Sub-Registrar, VI-D, Kanjhawala, for registration on the same date.
3. The grievance of the Petitioners is that despite the Gift Deed having been presented for registration, the same has not been registered and



continues to remain pending on account of the pendency of consolidation proceedings in Village Kanjhawala and the insistence on a No Objection Certificate [“NOC”] from the Competent Authority. Aggrieved thereby, the Petitioners have approached this Court.

4. Ms. Avni Singh, Panel Counsel for GNCTD, fairly submits that the issue raised in the present petition is covered by the decisions of this Court in ***Okaya Infocom Pvt. Ltd. & Anr. v. Govt. of NCT of Delhi & Anr.***¹ and subsequent orders following the same. It is submitted that the Respondents have no objection if the present petition is disposed of in terms of the directions issued therein, subject to appropriate safeguards.

5. Indeed, in ***Okaya Infocom Pvt. Ltd.***, this Court 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. For the foregoing reasons and having regard to the facts of the present

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.



case, and particularly in light of the stand taken by the Respondents, 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 Petitioners is taken on record and accepted. The Petitioners shall remain bound by the same.

(ii) Any breach of the aforesaid undertakings shall entail consequences in accordance with law. The undertakings 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 NOC 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.

SANJEEV NARULA, J

MAY 25, 2026/ab