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

+ **W.P.(C) 7906/2026 & CM APPL. 38121/2026**

DHARAMPAL & ANR.

.....Petitioners

Through: Mr. Viksit Singh, Mr. Deepanshu
Malik, Advocates.

versus

GNCTD & ORS.

.....Respondents

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

Mr. Mohit Agarwal, Mr. Prerak
Khurana, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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29.05.2026

1. Petitioner No. 2, namely Mr. Neeraj Bhardwaj, is the co-owner/co-bhumidhar to the extent of 1/3rd share, equivalent to approximately 03 Bighas 03 Biswas, in agricultural land comprised in Khasra No. 1 etc./303, total measuring 09 Bighas 09 Biswas, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, Delhi. Petitioner No. 1, namely Mr. Dharampal, is the intending purchaser of the said share.

2. It is stated that Petitioner No. 2, through his duly constituted Special Power of Attorney holder, executed a Sale Deed dated 28th May, 2025 in respect of the aforesaid share in favour of Petitioner No. 1. The said Sale



Deed was presented before the concerned Sub-Registrar for registration on the same date.

3. It is stated that the aforesaid Sale Deed was presented before Respondent No. 4, i.e., the Sub-Registrar IX(A), Najafgarh, after compliance with the requisite legal formalities. The grievance of the Petitioners is that the document has not been registered and continues to remain pending on account of the pendency of consolidation proceedings in Village Mundhela Khurd and the insistence upon an NOC/sanction under Section 30 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Aggrieved thereby, the Petitioners have approached this Court.

4. Mr. Sanjay Kumar Pathak, Standing Counsel, 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. Mr. Pathak also places reliance upon Circular dated 14th August, 2025 issued by the Government of NCT of Delhi. In view thereof, it is submitted that the Respondents are not insisting upon any NOC/sanction at this stage for registration of the Sale Deed.

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/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 several 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 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 affidavits/undertakings already placed on record by the Petitioners are 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 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/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

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.



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 29, 2026/ab