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

+ **W.P.(C) 7961/2026**

DEEPAK AND ORS

.....Petitioners

Through: Mr. Rajbir Singh Ruhil and Mr.
Umesh Yadav, Advocates.

versus

ADDITIONAL DISTRICT MAGISTRATE (S W) AND ORS

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha,
Mr. M. S. Akhtar, Ms. Joohu Kumari
and Mr. Kushagra Dixit, Advocates
for R-1.
Mr. Lalitaksh Joshi and Ms. Minu
Kumari, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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29.05.2026

1. The Petitioners claim to be co-sharers/co-owners in possession of 3/24th share in Khata No. 90/82 comprising Khasra Nos. 1 etc./246 (12-14), 248 (5-13), 310 (7-04), 366 (8-16) and 647 (6-03), admeasuring in aggregate 40 Bighas 10 Biswas, situated in the revenue estate of Village Mundhela Khurd, Tehsil Najafgarh, New Delhi. It is stated that the Petitioners intend to sell their share in the aforesaid land for their *bona fide* requirement.
2. The Petitioners further state that they submitted applications before the competent authorities seeking sanction/permission under Section 30 of



the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

3. The grievance of the Petitioners is that no decision has been communicated on the aforesaid applications and sanction/NOC continues to be insisted upon on account of the pendency of consolidation proceedings in Village Mundhela Khurd. Aggrieved thereby, the Petitioners have approached this Court.

4. Counsel for the Respondents fairly submit 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. In view of the same, it is submitted that, the Respondents are not insisting upon an NOC/sanction at this stage for registration of the aforesaid 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 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,

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.



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 Petitioners and the intending purchasers shall file an undertaking(s) by way of an affidavit(s) stating that the factum of this order shall be disclosed in the event of any further transaction relating to the subject land, prior to the conclusion of the consolidation proceedings. Let the said undertaking(s) be filed within a period of two weeks from today. Upon filing of such undertaking(s), the Petitioners and the intending purchasers shall remain bound thereby.

(ii) Any breach of the aforesaid undertaking(s) shall entail consequences in accordance with law. The undertaking(s) shall also form part of the proposed 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.***, ***Shailender Bansal*** and ***Jeevantika Organic Farming LLP***, it is directed that the registration of the proposed 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 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 29, 2026/hc