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

+ **CONT.CAS(C) 847/2021**

DLF LIMITED

.....Petitioner

Through: Mr. Rajeev Virmani, Sr. Advocate
with Ms. Nandini Gore, Ms. Sonia
Nigam, Mr. Akarsh Sharma, Ms. Diva
Saigal & Ms. Shriya Gambhir,
Advocates.

versus

SUSHIL SHARMA & ANR.

.....Respondents

Through: Mr. Prakhyat Solani & Mr. R. B.
Singh, Advocates for R-1.

+ **W.P.(C) 2546/2014, CM APPL. 7793/2014, CM APPL. 12956/2019,
CM APPL. 7484/2023, CM APPL. 1974/2024 & CM APPL.
79703/2025**

TATA COMMUNICATIONS LTD.

.....Petitioner

Through: Mr. Aditya Nayar & Ms. Swati
Mittal, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS

.....Respondents

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

Mr. Bhagwan Sawrup Shukla, CGSC
with Mr. Sarvan Kumar, Mr. Mukesh
Kumar Pandey & Mr. Praveen Gupta,
Advocates for R-2.

Mr. Prakhyat Solani & Mr. R. B.
Singh, Advocates for R-3.

Mr. Anilendra Pandey, Advocate for
R-4.



Mr. Chetan Sharma, ASG with Mr. Aslam Ahmed, Ms. Shabiesta Nabi, Mr. Amit Gupta, Mr. Waize Ali Noor, Mr. Shubham Sharma, Mr. Yashwardhan Sharma & Mr. Naman Sharma, Advocates for HPIL/intervenor.

+ W.P.(C) 654/2015, CM APPL. 7479/2023 & CM APPL. 79702/2025
DLF LIMITEDPetitioner

Through: Mr. Rajeev Virmani, Sr. Advocate with Ms. Nandini Gore, Ms. Sonia Nigam, Mr. Akarsh Sharma, Ms. Diva Saigal & Ms. Shriya Gambhir, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Ms. Sweety Singh, Advocate for R-1.
Ms. Sakshi Garg, Advocate.
Mr. Prakhyat Solani & Mr. R. B. Singh, Advocates for R-3.
Mr. Anilendra Pandey, Advocate for R-3.
Mr. Aditya Nayar & Ms. Swati Mittal, Advocates for R-4.
Ms. Arunima Dwivedi, CGSC with Ms. Himanshi Singh, Ms. Priya Khurana & Mr. Harpal Singh, Advocates.
Mr. Chetan Sharma, ASG with Mr. Aslam Ahmed, Ms. Shabiesta Nabi, Mr. Amit Gupta, Mr. Waize Ali Noor, Mr. Shubham Sharma, Mr. Yashwardhan Sharma & Mr. Naman Sharma, Advocates for HPIL/intervenor.



CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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23.01.2026

W.P.(C) 2546/2014 & W.P.(C) 654/2015

1. The Petitioners claim ownership and possession over the land described in their respective writ petitions. The present proceedings arise from impugned orders dated 5th August, 2013 and 29th March, 2014 passed by the Sub-Divisional Magistrate, Kalkaji,¹ directing demarcation thereof. The said proceedings were initiated pursuant to claims raised by the private Respondents, namely Mr. Sushil Sharma and Mr. Ramesh Kumar Sharma, asserting rights in respect of the said land.
2. By separate orders dated 28th April, 2014 in W.P.(C) 2546/2014 and 21st January, 2015 in W.P.(C) 654/2015, this Court directed the SDM to maintain status quo. Thereafter, by separate orders dated 6th January, 2016 passed in each of the petitions, the said interim directions were made absolute.
3. The Petitioners contend that the land in question had been urbanised prior to the initiation of the impugned proceedings and that, upon such urbanisation, the SDM ceased to have jurisdiction to order demarcation under the Delhi Land Revenue framework. Although, there may have been a contest to the Petitioners' claims regarding the jurisdiction of the SDM, nonetheless, the said controversy has been put to rest by the judgment of the Supreme Court in *Mohinder Singh (dead) through LRs and Another v.*

¹ "SDM"



Narain Singh and Others.² In the said judgment, the Supreme Court records as follows:

“36. After harmonizing the provisions of the Act, 1954 and Act, 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and lose their legal significance.”

What flows from the aforesaid decision is that the authority of the SDM, being traceable exclusively to the Delhi land revenue / land reforms framework, stands confined to land retaining its character as revenue land and does not extend to land which has been urbanised.

4. Now, the issue as to which authority would be competent to undertake demarcation after urbanisation is presently pending consideration by the Larger Bench of this Court in **O.REF. 1/2024**, titled ***Court on its Own Motion v. NEMO.***

5. In view of the foregoing, this Court finds no justification to keep the present proceedings pending, as the impugned orders passed by the SDM are unenforceable, having regard to the status of the land and the settled legal position as elucidated in ***Mohinder Singh.***

6. Accordingly, the present writ petitions are disposed of with liberty to the parties to move the concerned notified authority for seeking demarcation, if so advised, subject to the outcome of the aforesaid reference. Upon such approach, the authority shall consider and decide the application expeditiously and in accordance with law. Aggrieved party shall be at liberty to assail the same in accordance with law.

7. It is also pointed out that in ***W.P.(C) 2546/2014***, the interim order

² 2023 SCC OnLine SC 261.



dated 28th April, 2014 was extended to Respondent No. 3 (Mr. Sushil Sharma) by order dated 2nd June, 2014 and has continued till date. Since the petitions are being disposed of, liberty is reserved in favour of the Petitioners to take recourse to appropriate civil remedies, should any cause of action survive or arise in future. The private rights inter se the Petitioners and Respondent No. 3 are not adjudicated, and all rights and contentions are left open.

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8. In view of the disposal of the aforementioned writ petitions, no further directions are required to be passed in the present contempt petition. Accordingly, the same, along with any pending application(s), if any, is disposed of.

SANJEEV NARULA, J

JANUARY 23, 2026/hc