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

+ **W.P.(C) 17612/2025 & CM APPL. 72738/2025**

USHA PAHEL

.....Petitioner

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

versus

GOVT OF N C T OF DELHI & ORS.

.....Respondents

Through: Ms. Avni Singh, Panel counsel
(GNCTD) with Mr. Abhishek Yadav,
Advocate for GNCTD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **16.04.2026**

1. The present petition has been filed by the purchaser of the subject land, namely the Petitioner, in respect of agricultural land admeasuring 2 Bigha 7 Biswa, comprised in post-consolidation Khasra No. 57/19 (2-7), situated in the revenue estate of Village Kanjhawala, Delhi.
2. It is stated that the recorded owner (proforma Respondent No. 4), being in possession of the subject land, agreed to sell the same to the Petitioner for valuable consideration. Pursuant thereto, a Sale Deed dated 17th July, 2023 was duly executed and presented for registration before Respondent No. 3, i.e., the concerned Sub-Registrar at Kanjhawala. However, by way of refusal order dated 19th July, 2023, the Sub-Registrar declined registration of the said Sale Deed.
3. The refusal is premised on the ground that, pursuant to an order dated 05th December, 2019 issued by the District Magistrate (North-West),



issuance of NOCs for transfer and mutation of land in Village Kanjhawala has been stopped to facilitate consolidation proceedings and consign the scheme (Basta Band). On this basis, the Sub-Registrar declined registration of the Sale Deed. Aggrieved thereby, the Petitioner has invoked the writ jurisdiction of this Court.

4. Counsel for the Respondents submits that the subject land is stated to be under consolidation proceedings, and therefore, processing of the document requires permission and verification from the competent authority.

5. Insofar as insistence on NOC 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. 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

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.



of the present case, this Court finds that the refusal order, being founded on the pendency of consolidation proceedings and the insistence on an NOC, cannot be sustained in law. Accordingly, the refusal order dated 19th July, 2023 is set aside, and the following directions are issued:

- (i) The affidavit/undertaking already placed on record by the Petitioner, in terms of the judgment of this Court in ***Okaya Infocom Pvt. Ltd.***, is taken on record and accepted. The Petitioner shall remain bound by the same.
- (ii) Any breach of the aforesaid undertaking(s) shall entail consequences in accordance with law. The undertaking(s) 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 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.

8. In the above terms, the petition is disposed of, along with any pending application(s).

SANJEEV NARULA, J

APRIL 16, 2026/as