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

+ **W.P.(C) 2670/2024**

SH DINESH MITTAL

.....Petitioner

Through: Mr. Sachin Sangwan, Ms. Salma Saifi, Mr. Gaurav Choudhary and Ms. Janhvi Singh, Advs. (through VC).

versus

GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Avni Singh, Panel Counsel with Mr. Vaibhav Sharma, Advs. for R-1 and R-2.

Mr. Sachin Nawani, Adv for R-3.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

% **16.12.2025**

1. One of the issues involved in this petition is which authority has to deal with the proceedings of the land after issuance of notification of urbanization.

2. The Larger Bench of this Court has been constituted to answer the following questions:-

“a. Whether the law as expounded in Sanvik Engineers by the learned Single Judge and the proposition of law in LPA 295/2024 titled Subnam Gupta (Sabnam Gupta) vs. Union of India & Ors laid down by the learned Division Bench is the correct proposition of law?

b. Whether there is a divergence between the ratio of the judgements in Blue Bird Properties Pvt Ltd (Now Blue Bird Properties LLP) vs. Government of NCT of Delhi & Ors., and judgement dated 25.04.2023 in LPA 188/2022 and Subnam Gupta



Sabnam Gupta dated 15.04.2024 in LPA 295/2024? if so, which judgement lays down the correct law?

c. Whether the judgement of the Supreme Court in Mohinder Singh laying down the law that post notification u/s 507(a) of DMC Act 1957, the provisions of DLR Act, 1954 cease to apply and the proceedings pending thereunder would be non est in law would relegate the parties to the lis, to the alternate remedy of civil law redressal before the competent court of civil jurisdiction? if so, at what stage and to what effect?

d. A Judicial clarity be rendered as to what would be the remedy available to various stakeholders who are as on the date of notification under section 507(a) DMC Act, 1957, at different stages of proceedings contemplated under the DLR Act, 1954?

e. Though not arising from the above, however, many such cases are being regularly filed under the provisions of EPH Act, 1948 in similar circumstances, whether the judgement of the Supreme Court in Mohinder Singh laying down the law that post notification u/s 507(a) of DMC Act 1957, the provisions of DLR Act, 1954 cease to apply and the proceedings pending thereunder would be non est in law would also apply in a similar fashion to proceedings pending under EPH Act, 1948 since definition of the word "land" appears to have commonality between the two enactments? if so, to what effect?(regard may be had to the judgement dated 01.11.1997 passed the learned division bench of this Court in C.W. No. 2253 of 1997 captioned as Umed Singh vs. Government of N.C.T. of Delhi & Ors. reported in (1997) 69 DLT 957 (DB)."



3. In view of the issue being sub-judice before the Larger Bench, the present petition is adjourned sine die with liberty to the parties to file an application after the decision of the Larger Bench.

AVNEESH JHINGAN, J

DECEMBER 16, 2025/Pa