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

+ **W.P.(C) 3917/2026 & CM APPL. 19171/2026 (Exemption)**

MAHABIR SINGH AND ORS

.....Petitioners

Through: Mr. Viksit Singh, Advocate for P-1 to 4.

versus

GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Lalitaksh Joshi, Ms. Minu Kumari, Advocates for R-4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

27.03.2026

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1. This petition seeks, *inter alia*, issuance of a writ of *mandamus* directing concerned Consolidation Officer to grant requisite sanction under Section 30 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, and directing Sub Registrar-IX to register the Sale Deed in respect of the subject land situated in Village Mundhela Khurd, Tehsil Najafgarh, New Delhi.

2. The case of Petitioners No. 1 to 3, as borne out from the record, is that they are the recorded co-owners/co-bhumidars of agricultural land, bearing Khasra No. 1 etc./244/1(9-5) and 1 etc./244/2(2-10), admeasuring 11 Bigha 15 Biswa, situated in the revenue estate of Village Mundhela Khurd, Delhi. The said Petitioners entered into an agreement to sell with Petitioner No. 4 in respect of the said land, and a Sale Deed was executed and presented for



registration. However, the same has not been processed on account of absence of sanction/NOC under the provisions of the Consolidation Act, as consolidation proceedings in the village are stated to be pending.

3. It is further the case of the Petitioners that despite making applications seeking sanction and pursuing the matter with the authorities, no decision has been taken. The authorities have orally indicated that in view of pending consolidation proceedings, sanction cannot be granted, thereby compelling the Petitioners to approach this Court.

4. Counsel for the Respondents submits that since consolidation proceedings in the concerned village are ongoing, the concerned Sub-Registrar cannot proceed with registration of the Sale Deed without requisite sanction from the competent authority.

5. Insofar as insistence on sanction/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 any sanction/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

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.



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 of the present case, 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 shall file an undertaking by way of an affidavit 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 be filed within a period of two weeks from today. Upon filing of such an undertaking, the Petitioners shall remain bound thereby.

(ii) Any breach of the aforesaid undertaking shall entail consequences in accordance with law. The undertaking shall also form part of the registered 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 sanction/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.

9. With the following directions, the present petition is disposed of,



along with the pending application.

SANJEEV NARULA, J

MARCH 27, 2026/ab