



2025:DHC:7312-DB



\$~11

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ LPA 447/2025, CM APPL. 42418/2025, CM APPL.  
42419/2025, CM APPL. 42420/2025 & CM APPL.  
42421/2025

GOVT OF NCT OF DELHI .....Appellant  
Through: Mr. Sameer Vashisht, Standing  
Counsel with Mr. Lalltaksh  
Joshi and Ms. Ananya Sanjiv  
Sarogi, Advocates for GNCTD.  
versus

SH JITENDRA SINGH & ANR. ....Respondents  
Through: Mr. V.P. Rana, Mr. Bhuvan  
Tomar and Mr. Nirmalya  
Shukla, Advocates.

% *Date of Decision: 21.08.2025*

**CORAM:**  
**HON'BLE THE CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

### **J U D G E M E N T**

#### **TUSHAR RAO GEDELA, J: (ORAL)**

1. Present Letters Patent Appeal has been filed challenging the order dated 24.11.2024 passed by this Court in W.P.(C) 17955/2024 titled "*Sh Jitender Singh & Anr. vs. Govt of NCT of Delhi & Anr.*", wherein the learned single Judge quashed the impugned Deficiency Memorandum and directed that the appellant/Sub-Registrar shall proceed for registration of the document, purported to be Sale Deed dated 11.11.2024 without insisting from the No Objection Certificate (NOC) to the respondent no.1 in accordance with law.

2. It is the case of the appellant that in 15.10.1998, reports by the



2025:DHC:7312-DB



Patwari and Naib Tehsildar confirmed the allegation that respondent No. 1 was constructing a godown on a plot measuring 1 bigha 2 biswas in Khasra No. 49/1, Village Alipur, Delhi, which is Gaon Sabha land under Section 81 of the Delhi Land Reforms Act, 1954 (hereinafter referred to as “*the DLR Act*”). The Appellant submits that on 20.06.2000, the Court of Revenue Assistant issued directions for a fresh status report and passed an ejectment order against respondent No. 1 under the said provision. The appellant further claims that this ejectment order was subsequently recalled by the Sub-Divisional Magistrate (SDM) on 10.04.2013, and that on 16.05.2017, Village Alipur was urbanized under Section 507(a) of the Delhi Municipal Corporation Act, 1957 (hereinafter referred to as “*DMC, Act*”). The appellant also states that on 20.12.2023 in the matter of W.P.(C) 3421/2023 titled “*Sh. Jitender Singh vs. Govt. of NCT of Delhi & Ors.*”, this Court quashed the proceedings pending before the SDM in relation to the subject property.

3. The appellant submits that on 11.11.2024, respondent No. 1 and respondent no.2 purported to register a Sale deed for the disputed land, which prompted the appellant to issue a Deficiency Memo dated 13.11.2024 seeking a Land Status Report. It is the case of the appellant that respondent No. 1 challenged this Deficiency Memo through the underlying writ petition. *Vide* impugned order dated 24.12.2024, the learned single Judge directed the appellant/Sub-Registrar to proceed with registration of the Sale Deed without insisting on a No Objection Certificate (NOC). The appellant further submits that respondent No. 1 filed a contempt petition bearing Cont. Cas(C) 299/2025 titled “*Sh Jitender Singh vs. Ms. Swarshi Sabharwal*” seeking compliance with the Court’s orders to register the



Sale Deed. Hence the present appeal.

4. Having heard Mr. Sameer Vashisht, learned standing counsel for the appellant, Mr. V.P. Rana for the respondents and after perusing the impugned order and the records of the case, we find the appeal is bereft of any merits.

5. It is not disputed by the appellant that *vide* the order dated 20.12.2023 in W.P.(C) No. 3421/2023, the learned single Judge of this Court had quashed and set aside the proceedings under section 81 of the DLR Act, 1954, pending before the SDM in relation to the subject property. It would be relevant to note that on the application preferred under section 81 of the DLR Act, the Revenue Assistant *vide* the order dated 20.06.2000, had issued directions for placing on record fresh status report and passed an ejectment order against respondent no.1. Aggrieved thereof, on a further proceeding by the respondent no.1, the SDM concerned *vide* the order dated 10.04.2013 had recalled the said ejectment order. Pertinently, *vide* notification dated 16.05.2017 under Section 507(a) of the DMC Act, Village Alipur, including the subject land, was urbanised. As noted above, on the filing of W.P.(C) No. 3421/2023 by the respondent no.1, *vide* order dated 20.12.2023, this Court had quashed the proceedings pending before the SDM. Thus, as on the date of execution of the Sale Deed dated 11.11.2024, no proceedings under the DLR Act or under any other similar enactment were pending before any Revenue authorities. In that view of the matter, it is unfathomable as to on what basis the Sub-Registrar had raised the Deficiency Memorandum requiring the respondent no.1 to submit the Land Status Report/No Objection Certificate.

6. That apart, upon a query by this Court, Mr. Vashisht, learned Standing Counsel fairly admits that the appellant has, till date, not



2025:DHC:7312-DB



challenged the order dated 20.12.2023 in W.P.(C) No. 3421/2023, passed by the learned single Judge. As a consequence, the question of the Sub-Registrar requiring respondent no.1 to seek Land Status Report/NOC from the concerned Revenue Department before registration of the Sale Deed dated 11.11.2024 does not appear to be correct and is apparently beyond the authority of the Sub-Registrar.

7. Resultantly, the appeal is unmerited and the challenge to the impugned order dated 24.12.2024 whereby the learned single Judge has merely directed registration of the Sale Deed dated 11.11.2024 without insisting for the NOC, is unsustainable both on law and on facts.

8. At this stage, Mr. V.P. Rana, learned counsel appearing for the respondents very fairly submits that the registration of the Sale Deed and the subject sale itself would be subject to the doctrine of *lis pendens*.

9. The appeal is dismissed alongwith pending applications, if any, however without any order as to costs.

**TUSHAR RAO GEDELA, J**

**DEVENDRA KUMAR UPADHYAYA, CJ**

**AUGUST 21, 2025/rl/aj**