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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 7th January, 2026
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W.P.(C) 120/2026

SH. TRILOK AGARWAL & ORS.Petitioners
Through: Mr. V P Rana & Mr. Aviral Jain, Advs.
(9811165700)

versus

LAND ACQUISITION COLLECTOR (NORTH)Respondent
Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K. Kaomudi Kiran, Mr. Sunil
Kumar Jha, & Mr. M. S. Akhtar, Advs.
(9910770311)

CORAM:

JUSTICE PRATHIBA M. SINGH
JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners- Mr. Trilok Agarwal- Petitioner No.1, Mr. Vijay Agarwal-Petitioner No.2, Mr. Saurabh Agarwal- Petitioner No.3 and Ms. Pragati Goel-Petitioner No.4 under Article 226 of the Constitution of India seeking the following prayers:

“(a) issue a writ, order or direction in the nature of mandamus thereby directing the respondent to make a reference under Section 30 & 31 of Land Acquisition Act, 1894 to the Court of ADJ in respect of land bearing Khasra No. 65/21 (3-12), 65/22 (1-14) at Village Pooth



Khurd, Delhi vide Award No.7/2005-06/DC(NW) dated 27.06.2005; and/or

(b) pass such other or further writ, order or direction as this Hon'ble Court may deems fit and proper, in the interest of justice. It is prayed accordingly”

3. The case of the Petitioners is that, Ms. Pushpa Agarwal, who is the wife of Petitioner No.1 and mother of Petitioner No.3 and Petitioner No.4- Ms. Pragati Goel, had purchased 1 *bigha* land in *Khasra No. 79/20 and 79/21* at Village Pooth Khurd, Delhi.

4. Petitioner No.2, who is also the brother of Petitioner No.1 also claims to have purchased 1 *bigha 13 biswas* land out of *Khasra Nos. 79/20, 79/21, 79/22* at Village Pooth Khurd, Delhi.

5. Additionally, Ms. Sundari Agarwal, who is the mother of Petitioner Nos.1 and 2 had also purchased 1 *bigha 13 biswas* land in *Khasra No. 79/20, 79/21, 79/22* at Village Pooth Khurd, Delhi.

6. The case of the Petitioner is that the mutation was recorded in the revenue records and thereafter, the consolidation of holdings took place in the *Village Pooth Khurd, Delhi* after which new numbers being allocated to the aforesaid *Khasras* bearing Nos. *i.e.*, 65/20, 65/21 and 65/22.

7. Ms. Sundari Agarwal, the mother of Petitioner Nos.1 and 2 died on 11th March, 2000 and her property was inherited by Petitioner Nos.1 and 2, being her sons.

8. Pursuant thereto, certain proceedings under Section 81 of the Delhi Land Reforms Act, 1954 were initiated against Ms. Kanta Nagpal, on the ground of unauthorized use of land. In these proceedings, the land in 79/20,



79/21, 79/22 got vested in the *Gaon Sabha* *vide* order dated 21st October, 2003 passed by Revenue Assistant, SO(C) Narela Delhi. However, according to the Petitioners, they acquired knowledge of vesting of the land in *Gaon Sabha* only in 2005, when they filed an appeal against the order dated 21st October, 2003, before the ld. Deputy Commissioner (North-West) bearing case no. 28/DC/NW/2005 titled '***Trilok Agarwal vs. Gaon Sabha Poorth Khurd***' (*hereinafter, 'the appeal'*).

9. Subsequently, on 27th June, 2005 two more *Khasras* bearing Nos. 65/21 (3-12) and 65/22 (1-14) were also acquired *vide* Award No.7/2005-06/DC(NW) issued by Land Acquisition Collector. Further, on 5th September, 2012, *vide* Award No.2/2012-13/DC(NW) issued by Land Acquisition Collector, *Khasra* Nos. 65/20 (1-12) and 65/21 (1-4) were also acquired.

10. Ms. Pushpa Agarwal, who is the wife of the Petitioner No.1 also passed away on 20th August, 2024 and her property was inherited by Petitioner No.1, 3 and 4.

11. Thereafter, the appeal was dismissed *vide* order dated 7th November, 2025 on the ground that Village Pooth Khurd, where the property is situated, is an area which has been urbanized and the ld. Deputy Commissioner (North-West) no longer has the jurisdiction to decide the appeal.

12. Thus, the grievance of the Petitioners is that no compensation has been paid till date, and the matter continued to remain pending before the Appellate Authority.

13. Since the appeal was not decided on merits, an application dated 3rd December, 2025 under Section 30 and 31 of the Land Acquisition Act, 1894 was submitted by the Petitioners to the Land Acquisition Collector for submitting a reference in the Court of ld. ADJ and to decide the issue of



compensation for the Petitioners.

14. However, the grievance is that the Land Acquisition Collector has not taken any steps to make the reference to the Court of ld. ADJ. Aggrieved by the same, the Petitioners have preferred the present petition.

15. Ld. Counsel for the Petitioners submits that though the land has now been acquired, there is an obligation on the Land Acquisition Collector to pay proper compensation to the Petitioners and for the said purpose, reference ought to be made to the Court of ld. ADJ.

16. On the other hand, ld. Counsel for the Respondent submits that subject to verification, further action for reference would be taken by the concerned Land Acquisition Collector, Outer-North or North-West, depending upon the jurisdiction of the Land Acquisition Collector, post the re-organisation of the *Khasras*.

17. Heard. From the chronology of facts, it is clear that the acquisition took place several years ago and the possession has also been taken over. At this stage, the only direction that the Court is inclined to issue is to direct the appropriate Land Acquisition Collector to examine the facts and make a reference to the ld. Court of ld. ADJ. for determination of compensation payable to Petitioners, in respect of land bearing *Khasra* Nos. 65/21 (3-12) and 65/22 (1-14) at Village Pooth Khurd, Delhi *vide* Award No. 7/2005-06/DC(NW) dated 27th June, 2005. The decision shall be taken by the concerned Land Acquisition Collector within a period of four months from this order.

18. Insofar as the *Khasra* No.65/20 at Village Pooth Khurd, Delhi is concerned, ld. Counsel for the Petitioner has informed the Court that a separate writ petition has been filed.



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19. The present petition is disposed of in the aforesaid terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

JANUARY 7, 2026

kk/sm