

Shri Bhagwan Vs. Tehsildar/C.O. (Alipur)

08.10.2025

Present : Shri Rohit, Counsel for Petitioner.
: None for Respondent, C.O.

1. The present petition is filed u/s 42 East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against order dated 25.07.2025 passed by the Consolidation Officer dismissing the application of the Petitioner for reconsideration of the matter.
2. The Petitioner earlier approached this Court vide revision petition bearing case no.77/2021 which was remanded back by this Court vide order dated 03.08.2023 with the direction to Consolidation Officer to revisit the claim of the Petitioner. Accordingly, the Consolidation officer initiated the proceedings in the matter and issued notices to the parties concerned.
3. The case of the Petitioner in brief is that he is the permanent and bonafide resident of village Nangli Poona, Delhi. The consolidation proceedings in the village were initiated and repartition proceedings were carried out in village from 31.03.2000 to 10.04.2000. As per entitlement, plots within Extended Lal Dora bearing khasra no. 35/3 (0-04) & 35/8 (0-03) were allotted in the khata of the Petitioner during the repartition proceedings vide resolution no. 95 dated 20.12.2004 after withdrawing the agricultural land of Petitioner. However, said land was withdrawn from the khata of the Petitioner by the Consolidation Officer on 09.02.2018 which was challenged before this Court in case no. 77/2021.
4. The Consolidation Officer while passing the impugned order dated 25.07.2025 observed as under:-
 - It is an undisputed fact that village Nangli Poona was declared urbanised under Section 507 of the Delhi Municipal Corporation Act, 1957, vide notification dated 16.05.2017. The Hon'ble Supreme Court in "Mohinder Singh Vs. Narain

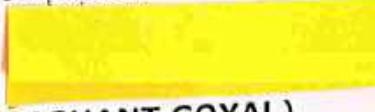
Singh” held that after urbanisation, revenue authorities cease to have jurisdiction over the matters.

- As the consolidation process for village Nangli Poona was initiated long before the urbanisation notification, the urbanisation notification dated 16.05.2017 does not by itself extinguish the jurisdiction of consolidation authorities over pending matters. Further the Petitioner has neither challenged nor raised any objection regarding the authority of the C.O. to adjudicate this matter.
 - The main grievance of the Petitioner is that land allotted in his khata was withdrawn vide resolution no. 170 dated 09.02.2018. However, the land which was earlier allotted to Petitioner was never part of Petitioner’s pre-consolidation holdings.
 - In the year 2018, two resolutions were passed dated 31.01.2018 and dated 09.08.2018 withdrawing 3 biswa each from the joint holding of the Petitioner and his brother. In lieu of the same, land of equal value was allotted to the Petitioner in khasra no. 20//21/2 min (0-4) and the said land still available in the khata till date. Therefore, there is no legal deficiency in the allotment made to the Petitioner’s and the deficiency is well within the permissible limit of the scheme of consolidation. Accordingly, the C.O. dismissed the application of the Petitioner after holding the same as devoid of merits.
5. Against the present impugned order the Petitioner has again approached this Court raising the main ground that the Hon’ble Supreme Court in the **Mohinder Singh** case has held that provisions of DLR Acts cease to apply once notification under the DMC Act has been issued declaring the village urbanised. Therefore, the proceedings pending under the Act become non-est and loses its legal significance. The Petitioner prayed that in the present case village Nangli Poona was urbanised vide notification dated 16.05.2017 and the C.O. has no jurisdiction or authority to cancel the allotment of the Petitioner which has been duly noted by the predecessor Financial Commissioner in order dated 03.08.2023 while remanding back the matter.

6. The rulings of the Hon'ble Supreme Court in Civil Revision No. 3828 of 2017 titled ***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others*** do not provide for continued applicability of the Delhi Land Reforms Act, 1954 by the revenue courts. After the declaration of the land/village i.e. Nangli Poona as urbanised vide notification dated 16.05.2017. The definition of the land which is derived from the Delhi Land Reforms Act is non-est, once the Delhi Land Reforms Act goes, in terms of the above judgment.
7. Averting to the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the purpose of this Consolidation Act as mentioned in its preamble is "*An Act to provide for the compulsory consolidation of agricultural holdings and for preventing the fragmentation of agricultural holdings in the State of Punjab and for the assignment or reservation of land for common purpose of the village*". The entire outcome of the process of consolidation to achieve the purpose stated in the preamble of consolidation is to prepare a new record of rights in accordance with the Land Revenue Act as per Section 22 of the Consolidation Act.
8. The basic purpose of the Consolidation Act therefore is to prevent fragmentation of land and to render agricultural activity to remain viable. The mother document on which the entire consolidation is based on, is the 'record of rights'. The record of rights in the Consolidation Act is as defined in Sections 6 and 22 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and takes its definition from the Punjab Land Revenue Act, 1887. In the case of GNCTD, the same Punjab Land Revenue Act, 1887 has been extended to Delhi through the aegis of Delhi Land Revenue Act, 1954.
9. As already explained in the foregoing, once the Delhi Land Reforms Act and the Delhi Land Revenue Act cease to exist, post notification under DMC Act, the consolidation proceedings, even if started before the said notification cannot continue. This is because 'record of rights' of land as legally defined and sanctified by the Delhi Land Reforms Act and the Delhi Land Revenue Act cannot continue after

the notification and the said Revenue Acts cease to exist except for reference and record purposes. Therefore, once the applicability of Delhi Land Reforms Act, 1954 ceases as per the judgment of the Hon'ble Supreme Court of India, the revenue laws and as a logical extension as explained elsewhere above, the consolidation law cannot continue to remain valid. The remedies will lie elsewhere.

10. In the light of all the foregoing, in the matter where the village already stood declared as urbanised in 2017 would involve entering into an area where the revenue courts have no jurisdiction to enter. Further in the present case, the consolidation proceedings were initiated much prior to date of notification declaring the village Nangli Poona, Delhi. Therefore, the Hon'ble Supreme Court of India judgement in Mohinder Singh is applicable in the present case also.
11. The matter is accordingly remanded back to the Consolidation officer to take into consideration all the above issues, including the judgement of Hon'ble Supreme Court and the case no. 77/2021 of Financial Commissioner dated 03.08.2023 and then pass a speaking and reasoned order preferably within next three months.
12. In such matters, the concerned District Magistrate should also take stock of the situation and provide suitable guidance to the subordinate officers on how to handle cases post urbanisation and/ or LDRA notification.
13. The revision petition bearing no. 178/2025 disposed of in terms of the above.
14. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Pawan Mann & Anr. Vs. Tehsildar/C.O. (Alipur)

08.10.2025

Present : Shri S.S. Rana, Counsel for Petitioner.
: None for Respondent.

1. That the present Revision Petition is being preferred by the Petitioners against the preparation of Record of Consolidation in respect of land/ Plot bearing Khasra number 106//489 (1-01), situated within the Extended Lal Dora Area of Village Khera Kalan, Delhi prepared by the office of Respondent No.1 during the final stage of consolidation.
2. That upon noticing the aforesaid error, the Petitioners approached the Consolidation Authority for rectification of the area, qua the entry in the name of Petitioners. The Consolidation Authority, after due consideration, vide Resolution No. 142 dated 17.03.2010, rectified the error and correctly recorded the area as 2 Bigha 2 Biswa (Rakba Sada) in respect of plot vide Khasra No. 106//489, in the khata of Petitioners, by adding the left out/omitted area in the official records.
3. It has been contended by the Petitioner that one Shri Shiv Prasad, son of Late Ram Chander was originally allotted a residential land/ plot bearing khasra no. 106//489, admeasuring 2 bigha 2 biswa in the year 1999.

Through a chain of transactions, the land measuring 2 bigha 2 biswa was purchased by the Petitioner vide sale deed dated 28.07.2003 from Respondent no.2 herein along with joint holder Dinesh Kumar. The land was duly mutated in the name of Petitioner on 15.09.2003. The Petitioner also participated in the consolidation proceedings from time to time. However, while consigning the consolidation record in July 2025, the suit land measuring 1-1 is still recorded in the name of erstwhile owner and the Petitioners were shown as recorded owner of only 8 biswa whereas the entitlement of Petitioner was 1-9.

4. Counsel for Petitioner further submitted that consolidation officer has no jurisdiction after consigning the record and he cannot take up the case suo moto because consolidation proceedings have been completed. The counsel further stated that this Court has jurisdiction u/s 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.
5. The Petitioners accordingly prayed for setting aside the erroneous entry and correction of the post consolidation record/ final record/ khatoni paimaish by recording the name of the Petitioner in place of R-2, Nirmala Devi in respect of plot measuring 1 bigha 1 biswa comprising khasra no. 106//489 situated within Lal Dora area of village Khera Kalan.
6. The rulings of the Hon'ble Supreme Court in Civil Revision No. 3828 of 2017 ***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others*** do not provide for continued applicability of the Delhi Land Reforms Act, 1954 by the revenue courts. After the declaration of the land/village i.e. Khera Kalan as urbanised vide notification dated 20.11.2019. The definition of the land which is derived from the Delhi Land Reforms Act is non-est, once the Delhi Land Reforms Act goes, in terms of the above judgment.
7. Averting to the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the purpose of this Consolidation Act as mentioned in its preamble is "*An Act to provide for the compulsory consolidation of agricultural holdings and for preventing the fragmentation of agricultural holdings in the State of Punjab and for the assignment or reservation of land for common purpose of the village*". The entire outcome of the process of consolidation to achieve the purpose stated in the preamble of consolidation is to prepare a new record of rights in accordance with the Land Revenue Act as per Section 22 of the Consolidation Act.

8. The basic purpose of the Consolidation Act therefore is to prevent fragmentation of land and to render agricultural activity to remain viable. The mother document on which the entire consolidation is based on, is the 'record of rights'. The record of rights in the Consolidation Act is as defined in Sections 6 and 22 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and takes its definition from the Punjab Land Revenue Act, 1887. In the case of GNCTD, the same Punjab Land Revenue Act, 1887 has been extended to Delhi through the aegis of Delhi Land Revenue Act, 1954.
9. In the light of all the foregoing, to review the matter where the village already stood declared as urbanised in 2019 would involve entering into an area where the revenue courts have no jurisdiction to enter. The matter is accordingly remanded back to the Consolidation officer to take into consideration all the above issues including the judgement of Hon'ble Supreme Court and then pass a speaking and reasoned order within next three months.
10. In the light of all the foregoing, in the matter where the village already stood declared as urbanised in 2017 would involve entering into an area where the revenue courts have no jurisdiction to enter. Further in the present case, the consolidation proceedings were initiated much prior to date of notification declaring the village Nangli Poona, Delhi. Therefore, the Hon'ble Supreme Court of India judgement in Mohinder Singh is applicable in the present case also.
11. The matter is accordingly remanded back to the Consolidation officer to take into consideration all the above issues, including the judgement of Hon'ble Supreme Court and the judgement of Financial Commissioner in case no.108 dated 30.05.2025 and in many others on continued applicability of consolidation Act after the village stands urbanised, then pass a

speaking and reasoned order preferably within next three months.

12. In such matters, the concerned District Magistrate should also take stock of the situation and provide suitable guidance to the subordinate officers on their jurisdiction post urbanisation of village.
13. The revision petition bearing no. 181/2025 is disposed of in terms of the above.
14. File be consigned to record room after completion.



(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 183 of 2025

08.10.2025

Present : Shri Anshul Sharma, Proxy Counsel for Petitioner.
: None for Respondent, C.O.

1. Proxy Counsel requested to adjourn the matter as the main counsel is not well. Allowed with a cost of Rs.2,000/- to be deposited with D.D.O., General Administration Department, GNCTD, Delhi Sectt. The same shall be deducted from the fee payable to Counsel.
2. The C.O. has filed his reply.
3. It is noted that the Village Khera Kalan is urbanized vide Notification dated 20.11.2019. How the revenue authorities would have jurisdiction after urbanization shall be taken up, on the next date of hearing.
4. Adj. to 12.11.2025.


**Financial Commissioner,
Delhi**

Case No. 125 of 2025

08.10.2025

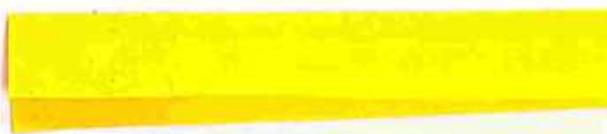
Present : Shri Vinod Kumar, Proxy Counsel for Appellant.
: Shri Rishab Chaudhary, Counsel for R-2, R-3 & R-4.

(FILED VAKALATNAMA)

1. The Counsel for Present Appellant (M/s. Accomplish Developers (P) Ltd.) contended that vide order dated 26.07.2021 the ADM (North) has remanded the case back to RA/SDM for deciding the mutation afresh. The appeal was filed by R-2 to R-4 challenging impugned order dated 05.01.1990 wherein mutation was sanctioned in respect of suit land situated in village Kulakpur. Present Appellant contended that he was not impleaded as party in case before ADM, North. Appellant has further contended that he purchased the land during the pendency of the proceedings before ADM. In the year 2020 and the ADM sought to have made him a party before setting aside the mutation order dated 05.01.1990. Further the matter was decided after a period of thirty years from the mutation.
2. Counsel for Respondent stated that Appellant had full knowledge of the facts of the case and proceedings before the ADM. The Respondent averred that the present impugned order dated 26.07.2021 has been passed on the basis of a will executed in the year 1986. He further stated that the ADM has remanded the matter to SDM for adjudication.
3. Counsel also contended that Appellant filed probate petition before Addl. Session Judge (North-West) u/s 276 of Indian Succession Act for grant of probate in respect of will dated 23.01.1986 executed by deceased Chhotu. The said petition was dismissed by

Addl. Session Judge as the Petitioners failed to establish the will, so they cannot claim any right.

4. All the parties were aware of litigation regarding Will going before the Civil Court, however, Petitioner never disclosed this fact. Counsel for Respondent sought time to seek instructions from the party and undertook to file reply within four weeks.
5. Appellant is directed to file chronology of events before the next date of hearing.
6. R-1, ADM has not been appearing since the beginning of the case despite directions given on the last date of hearing i.e.12.09.2025. Today also none has appeared on behalf of R-1, ADM.
7. Issue notice to R-1, ADM through the DM (North) why a cost of Rs.2,000/- may not be imposed on the ADM? The ADM will appear in person or through his Counsel on the next date of hearing.
8. Adj. to 12.11.2025.



**Financial Commissioner
Delhi**

Case No. 188 of 2025

08.10.2025

Present : Shri Vinod Kumar, Proxy Counsel for Petitioner.
: Shri Lokeshwar Sharma, Counsel for R-1, G.S.

1. The petitioner, M/s R.B. Commodities Pvt. Ltd., through its authorized signatory, seeks to quash the pending proceedings before the DM (North) against the order dated 09.01.2015 passed by the SDM/RA, Alipur, Delhi. The relief is sought on the ground that the revenue authorities lacked jurisdiction after the relevant village (Singhu, Delhi) stands covered as per LDRA Notification dated 18.06.2013, rendering the impugned order dated 09.01.2015 without jurisdiction.
2. Counsel for Petitioner further submitted that he sought time to file some documents in support of their case. Allowed with the direction to come prepared and explain on the next date of hearing of why the appeal provision has not been invoked prior to the revision petition before this Court.
3. Counsel for R-1, G.S. raised the issue of maintainability, which will be argued on the next date of hearing.
4. None appeared for the R-2, DC (North). Issue notice to the R-2, DC (North) to appear and lead the case on the next date of hearing.
5. Adj. to 15.10.2025.


**Financial Commissioner
Delhi**

**Shri Gurdeep Singh
Vs.
Tehsildar (Alipur)**

08.10.2025

Present : Shri Rahul Jariyal alongwith Shri Irshad Khan, Counsels
for Petitioner.
: None for Respondents.

1. It has been contended by the Petitioner that the petitioner has filed a revision petition under Section 72 of the Delhi Land Revenue Act, 1954, read with Section 151 of the Civil Procedure Code, 1908, seeking the quashing of the impugned notices dated 26.06.2024 and 01.08.2024 since they were passed subsequent to LDRA Notification on 18.06.2013. The petitioner further sought a direction from the Court to the respondent, Tehsildar Alipur, to demarcate the land falling within Khata numbers 25/29 (0-05) and 58/10 (0-07), situated in the revenue estate of village Bakoli, Delhi.
2. Counsel for Petitioner filed judgments of the Hon'ble High Court of Delhi in case titled Kamaljeet Bajwa & Ors. Vs. GNCT of Delhi & Ors. and Rajeev Shah Vs. GNCT of Delhi & Ors. in support of their contention.
3. The rulings of the Hon'ble Supreme Court do not provide for continued applicability of the Delhi Land Reforms Act, 1954 by the revenue courts. After the declaration of the land/village i.e. Bakoli stands covered under LDRA, the definition of the land which is derived from the Delhi Land Reforms Act is non-est once the Land Reforms Act goes in terms of the above judgment.
4. Averting to the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the purpose of this Consolidation Act as mentioned in its preamble is "*An Act to provide for the compulsory consolidation of agricultural holdings and for preventing the fragmentation of agricultural holdings in the State of Punjab and for the assignment or reservation of land for common purpose of the village*". The entire outcome of the process of

consolidation to achieve the purpose stated in the preamble of consolidation is to prepare a new record of rights in accordance with the Land Revenue Act as per Section 22 of the Consolidation Act.

5. The basic purpose of the Consolidation Act therefore is to prevent fragmentation of land and to render agricultural activity to remain viable. The mother document on which the entire consolidation is based on, is the 'record of rights'. The record of rights in the Consolidation Act is as defined in Sections 6 and 22 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and takes its definition from the Punjab Land Revenue Act. In the case of GNCTD, the same Punjab Land Revenue Act, 1887 has been extended to Delhi through the aegis of Delhi Land Revenue Act, 1954.
6. As already explained in the foregoing, once the Delhi Land Reforms Act and the Delhi Land Revenue Act cease to exist, post notification under DMC Act, the consolidation proceedings, even if started before or after the said notification cannot continue. This is because 'record of rights' of land as legally defined and sanctified by the Delhi Land Reforms Act and the Delhi Land Revenue Act cannot continue after the notification and the said Revenue acts ceasing to exist except for reference and record purposes. Therefore, once the applicability of Delhi Land Reforms Act, 1954 ceases as per the judgment of the Hon'ble Supreme Court of India, the revenue laws and as a logical extension as explained elsewhere above, the consolidation law cannot continue to remain valid. The remedies will lie elsewhere.
7. In the light of all the foregoing, in the matter where the village already stood declared as urbanised in 2017 would involve entering into an area where the revenue courts have no jurisdiction to enter. The Consolidation Officer may reassess the legal validity of its orders dated 26.06.2024 and 01.08.2024 which were passed

after the village was declared urbanised under the DMC Act.

8. The matter is accordingly remanded back to the RA/SDM concerned to take into consideration all the above issues, including the judgement of Hon'ble Supreme Court and High Court and then pass a speaking and reasoned order preferably within next three months.
9. The concerned District Magistrate should also take stock of the situation and provide suitable guidance to the subordinate officers to exercise their jurisdiction within tenets of law/decisions of Higher Courts.
10. The case bearing no. 220/2024 is disposed of in terms of above.
11. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

08.10.2025

Present : Shri Vinayak Bhandari, Counsel for Appellant.
: Shri Parveen Kumar, One of Counsel for R-1.
: Shri Mehul Singh Tomar, Counsel for LR's of R-3.

1. Heard both the sides on the aspect of maintainability.
2. It is case of the appellant that the mutation application concerning the succession of Late Sh. Bhoop Singh S/o Sh. Kanhiya, co-owner of land in Kh. No. 8//4/2 and others, was disposed of. Sh. Bhoop Singh expired on 04-04-2017, leaving behind legal heirs who entered into a dispute over the mutation based on a registered Will dated 17-10-2013. During mutation proceedings, Sh. Mukesh Kumar (legal heir), R-1 herein filed Civil Suit No. 52/2019 (Mukesh vs Ankit & Ors) for declaration/cancellation and permanent injunction regarding the Will. A compromise was subsequently reached among all legal heirs via Compromise Deed dated 31.05.2019, resolving the matter in these proceedings.
3. As per the impugned order dated 15.01.2025 passed by the District Magistrate (South-West) the appeal filed by the Petitioner has been dismissed observing that the appeal was barred by limitation as it has been filed after passing of period of limitation. The application of condonation of delay was not allowed. The DM order also stated that the appellant has withdrawn the said appeal.
4. In respect of delay in filing the appeal, the appellant took the plea that he came to know about the fraud committed by R-1 on 18.04.2022. The appellant further stated that delay in filing the appeal before

the District Magistrate was condoned vide orders as per order sheet dated 06.05.2022.

5. It has been contended by the Appellant that before the impugned order dated 15.01.2025 has passed, he had filed an application dated 06.12.2024 before the DM mentioning the fact that his thumb impression on the family settlement deed has been taken under threat and that the settlement deed should not be taken into consideration. The order of the DM dated 15.01.2025 has ignored these points.
6. Counsel for LRs of R-3 submitted that the Will has to be probated by the concerned Court. Mere registered Will is not enough to claim their rights when the same is disputed. This has not been done by the Appellant and he straight away filed appeal before DM assuming that the settlement deed is fake.
7. Counsel for appellant further contended the suit land situated in village Kair is not covered by the notification dated 18.06.2013 declaring villages/lands Low Density Residential Area as the same is part of Low Density Residential Plots which were allowed in villages falling in Green Belt.
8. Counsel for Appellant filed written submissions which is taken on record.
9. Both the parties are directed to file their written submissions alongwith citations, if any, in brief by 21.10.2025 whereafter the orders shall be passed on the basis of documents available on record.
10. Case is reserved for pronouncement of orders on 12.11.2025.

**Financial Commissioner
Delhi**

**Smt. Sumitra Devi
Vs.
Gaon Sabha (Sawda)**

08.10.2025

Present : Shri V. S. Rana, Counsel for Petitioner.
: Shri Ajeet Kumar Sharma, Counsel for Respondent,
G.S. (Sawda).

1. Counsel for Petitioner filed the Revision Petition under Section 187 of the Delhi Land Reforms Act, 1954, read with Appendix VI, Rule 31(a) of the Delhi Land Reforms Rules, 1954, challenging the maintainability of proceedings under Section 81 of the DLR Act in Case No. 3069/RA/SDM/K/2013 titled "G.S. Sawda vs. Sumitra Devi", pending before the Ld. RA/SDM, Kanjhawala, Delhi.
2. The Petitioner is aggrieved by illegal, non-maintainable, and non-est proceedings pending before the RA/SDM, Kanjhawala, despite the fact that the subject land situated in Village Sawda, Delhi, was notified as urbanized land vide Notification dated 16.05.2017 under the DMC Act.
3. The Petitioner pleaded that after urbanization notification, the revenue authorities cease to have jurisdiction in the wake of various judgments of the Hon'ble Supreme Court of India as well as the Hon'ble High Court of Delhi.
4. Counsel for Respondent G.S. (Sawda) filed an application under Order 1 Rule 10 r/w Section 151 CPC, 1908 for seeking impleadment of DDA. The application is accepted at this stage.
5. The matter is accordingly remanded back to the RA/SDM concerned to take into consideration all the above issues including the judgement of Hon'ble Supreme Court and then pass a speaking and reasoned order preferably within next three months.

6. In such matters, the concerned District Magistrate is also advised to take stock of the situation and provide suitable guidance to the subordinate officers on how to handle matters in cases where the village is covered under urbanization and/or LDRA Notification.
7. The case bearing no. 111/2025 is disposed of in terms of above.
8. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 189 of 2016

08.10.2025

Present : Shri Vinod Kumar, Proxy Counsel for Petitioners.
: Shri S.K. Sangwan, Counsel for R-1, Gram Sabha,
Bankner.

1. None appeared for R-4, DDA.
2. The Counsel for Petitioners filed proof of service of notice served on the R-4 which is taken on record.
3. The Counsel for R-1 requested for adjournment as a similar matter is pending before the Division Bench of the Hon'ble High Court of Delhi which is listed for 21.11.2025. Allowed.
4. R-1 is directed to file reply, including on the issue of maintainability of the case, after the urbanization of the village Bankner on 20.11.2019.
5. Issue notice to remaining Respondents to appear and defend the case.
6. Issue notice to R-4, DDA through the VC DDA, alongwith copy of petition to appear and lead the case on the next date of hearing.
7. Adj. to 26.11.2025 for arguments.

**Financial Commissioner,
Delhi**

Smt.Phool Kaur Through LRs. Vs. Consolidation Officer

08.10.2025

Present : Ms. Mansha Gupta, Proxy Counsel for Petitioners.
: Shri Dinesh Rana, Tehsildar/C.O. In person.

1. Proxy Counsel for Petitioners sought adjournment as the main Counsel is not well and she is not aware of the facts of the case. On last two dates also, Petitioner was represented by Proxy Counsel showing the seriousness in pursuing the matter.
2. Respondent, C.O. submitted that he has recently joined as C.O./Tehsildar in the department and he is not fully aware of the facts of the case but reply of the C.O. filed previously is already on record.
3. It is seen from the records that the present revision petition has been filed under Section 42 of the East Punjab Holding (Consolidation and Prevention of Fragmentation Act, 1948) against the order dated 10.02.2012 passed by the Consolidation Officer. The Petitioner contended that the impugned order dated 10.02.2012 may kindly be set aside to the extent there is deficiency and shortfall of land measuring 5 bighas 9 biswas in the entitlement of the Petitioner.
4. As per reply filed by the C.O., the point of limitation has been raised that the order was passed on 10.02.2012 but the revision petition was filed on 08.02.2018 after a lapse of more than six years. This is indeed true.
5. It is noted that the suit land involved in the present case falls under village Bijwasan which was declared Low Density Residential Area vide notification No.S.O.1744(E) dated 18.06.2013 by Ministry of Urban Development (Delhi Division) in exercise of powers conferred by sub-section (2) of Section 11-A of the Delhi Development Act, 1957 made modification in the Master Plan for Delhi-2021 and declared Low Density Residential Areas and Low Density Residential Plots were also allowed in villages

falling in green belt. Village Bijawasan figures in the annexure of aforesaid notification dated 18.06.2013 and was declared Low Density Residential Area.

6. The Hon'ble High Court vide several judgements have laid down the law with regard to applicability of provisions of revenue laws on the land which has either been declared urbanized under the Delhi Municipal Corporation Act, 1957 or under the Delhi Development Act, 1957. A few judgements are as under :

Hon'ble High Court of Delhi in judgment dated 10.04.2023 in WP(C) No.3502/2022 titled **Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.** has held that -

"..... by notification dated 18.06.2013, Village Rajokri, where the land in question is situated, was declared as a Low Density Residential Area (LDRA) in urban extension...."

13. *It is no longer res-integra that once an area has been declared as LDRA, it ceases to be a rural area and becomes part of urban area. The area in question i.e. Village Rajokri was declared as LDRA by way of Gazette notification dated 18.06.2013 issued by the Ministry of Urban Development (Delhi Division). Thus, after declaration of the area as LDRA, the land can no longer be said to be for agricultural purposes. The purpose of DLR Act is to protect agricultural use of the land. However, when an area itself is declared as Low Density Residential Area, non-agricultural use of land stands recognised by the Master Plan itself.*

14. *After modification in MPD, 2021 under Section 11A of DD Act, vide notification dated 18.06.2013, there is no manner of doubt that village Rajokri is an "urban village". This Court in the case of M/s. Shri Neelpadmaya Consumer Products Pvt. Ltd. Vs Sh. Satyabir @ Satbir And Ors. has held that a notification for urbanisation need not only be through a notification under Section 507 of The Delhi Municipal Corporation Act, 1957 (DMC Act). It was held that once a notification is issued applying a zonal plan, issued pursuant to the Master Plan showing the subject lands as covered under the zonal plan issued by the DDA, in such a situation, the lands cease to be lands covered under the DLR Act, as the issuance of notification in the official gazette results in the lands becoming part of the Delhi land....."*

15. *In view of the aforesaid, it is clear that once land is subject matter of zonal plan issued under Section 11 of DD Act, it is beyond the purview of the DLR Act. After the notification dated 18.06.2013, Village Rajokri became an urban village, and therefore, the DLR Act ceased to apply to the land in question.*

16. *Thus, position is clear that Village Rajokri became part of urban land with effect from the notification dated 18.06.2013 declaring the land as LDRA. The effect of the said notification dated 18.06.2013 is that DLR Act ceases to apply to the lands situated in Village Rajokri, where the land, subject matter of this writ petition is situated....."*

Hon'ble High Court of Delhi in judgment dated 25.05.2023 in WP(C) No.7159/2023 titled **Shweta Agarwal & Anr. Vs. Government of NCT of Delhi & Anr.** has held that -

".....9. In view of the aforesaid law position, it is clear that after issuance of the notification dated 18.06.2013, the area in question became an urban village and therefore, the DLR Act ceased to apply on the land in question.

10. Hon'ble Supreme Court in the case of **Mohinder Singh (Dead) Through LRs & Anr. Vs. Narain Singh & Ors, 2023 SCC OnLine SC 261** has categorically held that all the proceedings under the DLR Act cannot continue, once area in question has been urbanized. Thus, it has been held as follows:

"36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance."

11. In view of the aforesaid law position, it is clear that the proceedings which are pending before the ld. Deputy Commissioner under the DLR Act cannot continue any further."

Hon'ble High Court of Delhi in judgment dated 04.01.2023 in WP(C) No.10270/2015 titled **M/s. Mahajan Industries Pvt. Ltd. Vs. Gaon Sabha Chattarpur** has held that -

".....6. Reference may also be made to notification dated 18.06.2013 issued by the Ministry of Urban Development (Delhi Division), Govt. of India, wherein land in question has been notified as Low Density Residential Area (LDRA). The said notification gives the details of list of villages which have been declared as Low Density Residential Area (LDRA) in urban extension. The name of Village Chattarpur is reflected at serial no. 3 of the said notification dated 18.06.2013 issued by the Ministry of Urban Development, Government of India.

7. Similarly, notification dated 20.11.2019 has been issued under Section 507 of the Delhi Municipal Corporation Act, 1957, thereby declaring in categorical terms that all the villages which are included in the said notification which were part of the rural areas, shall cease to be rural area and shall be deemed to be as urban areas. Chattarpur village is reflected at serial no. 33 in the said notification under the South District. 8. Perusal of the aforesaid clearly shows that village Chattarpur is no longer part of the rural village and is now an urban area...

8.

9. Consequently, the law position is clear that where proceedings have been initiated under the DLR Act and a conditional order has been made and notification for urbanisation of the land is issued prior to the issuance of the final order, then the said proceedings under the DLR Act, 1954 will not lie.

10. Once notification has come to be issued under the Delhi Municipal Corporation Act, 1957 and Delhi Development Act, 1957,

then the land in question becomes urbanised. Thus, any proceedings under the DLR Act, 1954 as such would not be maintainable as Delhi Land Revenue Act, 1954 and Delhi Land Reforms Act, 1954 will cease to have any effect or applicability with respect to such lands...

11., 12. & 13.....

14. In the present case, it is clearly seen that land in question, i.e., village Chattarpur has already been declared as urbanised by virtue of notification under DMC Act as well as DDA, Act. Further, land in question has also been declared as Low Density Residential Area (LDRA) as per notification issued by the Government of India. Thus, user of the land, as such, as declared by the Master Plan and notifications of the DDA as well as MCD, is now residential. Therefore, once notification of the government and its authorities as well as the Master Plan itself declare user of the land as residential, then the owner of the land in question cannot be forced to use the land for agricultural purposes, when the land in question has ceased to be agricultural in nature...

15.....

16. In view of the aforesaid, it is held that Delhi Land Reforms Act, 1954 shall not be applicable to the land of the petitioner situated in revenue estate of village Chattarpur, as the said land has lost its character as agricultural land and is now an urbanised land in view of the aforesaid notifications of the DDA and MCD; and the declaration of the Zonal Development Plan under the Master Plan 2021. Consequently, the order/conditional decree dated 31.08.2015 issued by the Revenue Assistant/SDM (Saket), Revenue Department; District – South, Government of NCT of Delhi is quashed.....”

Hon'ble High Court of Delhi in judgment dated 30.11.2021 in WP(C) No.12038/2019 titled **Sushma Kapoor Vs. Government of NCT of Delhi & Anr.** has held that -

“.....9. Once the fact of the land being covered under the notification of 18 June 2013 and covered under a Low Density Residential Area is admitted to the respondents, it is manifest that the proceedings initiated under the Act cannot be sustained. The Court also fails to find any merit in the contention of Ms. Takiar that the revenue authorities would still be empowered to enquire whether constructions were being raised without the requisite permissions as contemplated under the DMC or DDA Acts. Those enactments incorporate sufficient measures for enquiry and enforcement and independently confer powers in connection therewith upon statutory authorities other than revenue officials.....”

Hon'ble High Court of Delhi in judgement dated 20.12.2023 in WP(C) No.3421/2023 titled **Jitender Vs. Govt. of NCT of Delhi & Ors.** has held hereunder –

“.....13. Upon a conspectus of foregoing, since there is no cavil that once a notification is issued under section 507(a) of DMC Act, the provisions of the DLR Act cease to apply and revenue officials acting under that statute have no jurisdiction over such land, there cannot be any legal basis or justification to permit any proceedings under the DLR Act to continue.

14.....

15. In view thereof, the petition is allowed; thereby quashing the proceedings pending before the SDM under section 81 of the DLR Act"

7. It is also noted that Village Salahpur was urbanised under Section 507 of the Delhi Municipal Corporation Act, 1957 vide Notification No. F7 (128)/DLB/ 2019/ 000580156/ 14600-15 dated 20.11.2019.
8. The Hon'ble Supreme Court of India in judgement dated 14.03.2023 in case titled ***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others*** has held that -

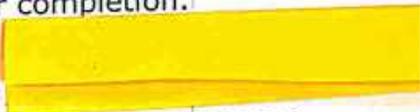
"36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance."

9. The rulings of the Hon'ble Supreme Court in SSC Online SC 261, dated 14.03.2023 titled ***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others***, do not provide for continued applicability of the Delhi Land Reforms Act, 1954 by the revenue courts. After the declaration of the land/village i.e. Bijwasan as Low Density Residential Area vide notification dated 18.06.2013, the definition of the land which is derived from the Delhi Land Reforms Act is non-est once the Land Reforms Act goes in terms of the above judgment.
10. Averting to the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the purpose of this Consolidation Act as mentioned in its preamble is *"An Act to provide for the compulsory consolidation of agricultural holdings and for preventing the fragmentation of agricultural holdings in the State of Punjab and for the assignment or reservation of land for common purpose of the village"*. The entire outcome of the process of consolidation to achieve the purpose stated in the preamble of consolidation is to prepare a new record of rights in accordance with the Land Revenue Act as per Section 22 of the Consolidation Act.

11. The basic purpose of the Consolidation Act therefore is to prevent fragmentation of land and to render agricultural activity to remain viable. The mother document on which the entire consolidation is based on, is the 'record of rights'. The record of rights in the Consolidation Act is as defined in Sections 6 and 22 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and takes its definition from the Punjab Land Revenue Act. In the case of GNCTD, the same Punjab Land Revenue Act, 1887 has been extended to Delhi through the aegis of Delhi Land Revenue Act, 1954.
12. As already explained in the foregoing, once the Delhi Land Reforms Act and the Delhi Land Revenue Act cease to exist, post notification under Section 11 of Delhi Development Act, 1957 the consolidation proceedings, even if started before or after the said notification cannot continue. This is because 'record of rights' of land as legally defined and sanctified by the Delhi Land Reforms Act and the Delhi Land Revenue Act cannot continue after the notification and the said Revenue acts cease to exist except for reference and record purposes. Therefore, once the applicability of Delhi Land Reforms Act, 1954 ceases as per the judgment of the Hon'ble Supreme Court of India, the revenue laws and as a logical extension as explained elsewhere above, the consolidation law cannot continue to remain valid. The remedies will lie elsewhere.
13. In the light of all the foregoing, it is observed that the revenue courts have no jurisdiction to enter into such matters where the land/village has been declared Low Density Residential Area and also the village was declared urbanized and the provisions of Delhi Land Reforms Act, 1954 cease to apply since 18.06.2013 & 20.11.2019 respectively in this case. In the light of the above, this court is not inclined to interfere with the order dated 10.02.2012 passed by the Consolidation Officer (Vasant Vihar) due to the fact that village Bijwasan has been declared Low Density Residential Area vide Notification

dated 18.06.2013 and also the village Salahpur has been declared urbanized vide Notification dated 20.11.2019 and the revenue courts ceased to have jurisdiction in terms of the above judgments. Accordingly, the revision petition bearing No.327/2018 titled **Smt.Phool Kaur Through LRs. Vs. Consolidation Officer** is disposed of in terms of the above. No order as to costs.

13. Further, seeing the peculiar circumstances of the case, it would not be fair to deprive the parties from seeking appropriate remedy as per law. Accordingly, protection is provided to all the parties for the next sixty days to enable them to approach the appropriate forum of law for redressal of their grievances, if any. During this period, no third party interest shall be created by any party in the impugned land.
14. With the above directions, the case is disposed of.
15. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner, Delhi

Dharamvir Rana Vs. Azad Singh & Ors.

08.10.2025

Present : Shri Nagender Singh, Proxy Counsel for Petitioner.
: Shri Parveen Kumar, Counsel for Respondents.

1. The present revision petition has been filed under Section 42 of the East Punjab Holding (Consolidation and Prevention of Fragmentation Act, 1948) against the ex-parte order dated 20.10.2015 passed vide Resolution No.295 whereby the Consolidation Officer (Khera Kalan) partitioned/separated the khata of the Petitioner and without issuing notice to the Petitioner and requested to set aside the said impugned order and also to remand the matter back to C.O to decide the case on merit after giving opportunity of being heard to the Petitioner. The Petitioner admitted that when the order was passed, the said village Khera Kalan was not urbanized.
2. The Counsel for R-1 & 2 submitted that there is no jurisdiction of the case to hear the matter before this court as the C.O. order was passed on 20.10.2015 and the same challenged in the year 2025 which is clearly beyond the period of limitation. Moreover, in the year 2022, the Petitioner himself, on the basis of partition order, sold an industrial plot bearing No.108/427 after receiving full consideration. Thus, the alleged plea of gaining knowledge of partition only in 2024 is wholly false & fabricated. Counsel for Respondents further submitted that the said village is urbanized on 20.11.2019.
3. From the facts of the case, it is noted that Village Khera Kalan was urbanised under Section 507 of the Delhi Municipal Corporation Act, 1957 vide Notification No. F7 (128)/DLB/ 2019/ 000580156/ 14600-15 dated 20.11.2019.
4. The Hon'ble Supreme Court of India in judgement dated 14.03.2023 in case titled **Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others** has held that –

"36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance."

5. In view of the ruling of the Hon'ble Supreme Court of India as cited above, the proceedings under the DLR Act, 1954 become non-est and lose their legal significance from the date i.e. 20.11.2019, the village Khera Kalan has been urbanized under Section 507 of the Delhi Municipal Corporation Act, 1957.
6. The attention of this Court is also drawn to judgement dated 20.12.2023 passed by the Hon'ble High Court of Delhi in case titled **Jitender Vs. Govt. of NCT of Delhi & Ors.** whereby the Hon'ble High Court has quashed the proceedings pending before the revenue authorities in the light of the verdict of Hon'ble Supreme Court of India in the matter of **Mohinder Singh (Dead) Through LRs and Another Vs. Narain Singh and Others.** The relevant extract of the judgment of Hon'ble High Court is reproduced hereunder –

".....13. Upon a conspectus of foregoing, since there is no cavil that once a notification is issued under section 507(a) of DMC Act, the provisions of the DLR Act cease to apply and revenue officials acting under that statute have no jurisdiction over such land, there cannot be any legal basis or justification to permit any proceedings under the DLR Act to continue.

14.....

15. In view thereof, the petition is allowed; thereby quashing the proceedings pending before the SDM under section 81 of the DLR Act

7. Averting to the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the purpose of this Consolidation Act as mentioned in its preamble is "An Act to provide for the compulsory consolidation of agricultural holdings and for preventing the fragmentation of agricultural holdings in the State of Punjab and for the assignment or reservation of land for common purpose of the village". The entire outcome of the process of consolidation to achieve the purpose stated in the preamble of consolidation is to prepare a new record of

rights in accordance with the Land Revenue Act as per Section 22 of the Consolidation Act.

8. The basic purpose of the Consolidation Act therefore is to prevent fragmentation of land and to render agricultural activity to remain viable. The mother document on which the entire consolidation is based on, is the 'record of rights'. The record of rights in the Consolidation Act is as defined in Sections 6 and 22 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and takes its definition from the Punjab Land Revenue Act. In the case of GNCTD, the same Punjab Land Revenue Act, 1887 has been extended to Delhi through the aegis of Delhi Land Revenue Act, 1954.
9. As already explained in the foregoing, once the Delhi Land Reforms Act and the Delhi Land Revenue Act cease to exist, post notification under Section 11 of Delhi Development Act, 1957, the consolidation proceedings, even if started before or after the said notification cannot continue. This is because 'record of rights' of land as legally defined and sanctified by the Delhi Land Reforms Act and the Delhi Land Revenue Act cannot continue after the notification and the said Revenue acts cease to exist except for reference and record purposes. Therefore, once the applicability of Delhi Land Reforms Act, 1954 ceases as per the judgment of the Hon'ble Supreme Court of India, the revenue laws and as a logical extension as explained elsewhere above, the consolidation law cannot continue to remain valid. The remedies will lie elsewhere.
10. In the light of all the foregoing, it is observed that the revenue courts have no jurisdiction to enter into such matters where the land/village has been declared urbanized and the provisions of Delhi Land Reforms Act, 1954 cease to apply since 20.11.2019 in this case. In the light of the above, this court is not inclined to interfere with the order dated 20.10.2015 vide Resolution No.295 passed by the Consolidation Officer (Khera Kalan) due to the fact that village Khera Kalan has been declared

urbanized vide Notification dated 20.11.2019 and the revenue courts ceased to have jurisdiction in terms of the above judgments. Accordingly, the revision petition bearing No. 126/2025 titled **Dharamvir Rana Vs. Azad Singh & Ors.** is disposed of in terms of the above. No order as to costs.

11. Further, seeing the peculiar circumstances of the cases, it would not be fair to deprive the parties from seeking remedy as per law. Accordingly, protection is provided to all the parties for the next forty five days to enable them to approach the appropriate forum of law for redressal of their grievances, if any. During this period, no third party interest shall be created by any party in the impugned land.
12. With the above directions, the case is disposed of.
13. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi