

Pradeep Kumar Vs. Consolidation Officer (Khera Kalan)

12.11.2025

Present : Ms. Jyoti, Proxy Counsel for Petitioner.
: None for Respondent.

1. The Counsel for Petitioner contended that Petitioner is aggrieved by the order of Consolidation Officer/ Tehsildar, Alipur whereby the entry of excess allotment in New Khata No. 153 (Old Khata No. 108/1) was made as per the direction of the then SDM (Alipur)/Settlement Officer dated 16.03.2024, after finding irregularities in 204 khatas during scrutiny.
2. Petitioner argued that the Consolidation Scheme for Village Khera Kalan, Delhi was confirmed on 18.06.1999 under the East Punjab Holdings (Prevention of Fragmentation and Consolidation) Act, 1948, pursuant to notifications dated 19.12.1996 and 20.12.1996. After the Scheme, repartition proceedings were held from 07.12.1999 to 10.12.1999 by the Consolidation Officer. The Petitioner and his brother applied for allotment of residential/industrial plots within time. Accordingly, the Petitioner was allotted land measuring 2 bigha 8 biswa (Khasra No. 106/185 – 1 bigha 13 biswa and 2 bigha 8 biswa (Khasra No. 106/186 – 0 bigha 9 biswa) in exchange for 3 bigha 6 biswa of agricultural land.
3. Petitioner further argued that the present revision petition is filed against the errors and irregularities committed during the consolidation process. The Respondent failed to follow the Consolidation Scheme properly and made wrong entries in the revenue records. The Petitioner's earlier representation was rejected on the ground that consolidation proceedings were already closed. As per the Consolidation Scheme, in exchange for agricultural land, if residential land is given, only half the measurement is to be allotted, if agricultural land is exchanged for agricultural land, equal measurement is to be given, the Register Karyavahi shows correct allotment and no excess land was given to the Petitioner. However, errors have appeared in the Khatoni

Pamaish, namely, wrong remark showing excess allotment, though none was made, reduction of 3 biswas in total area (26 bigha 16 biswa shown instead of 26 bigha 19 biswa), wrong father's name entered as "Kheema" instead of "Khem Chand," despite court clarification. Directions of certain Khasra numbers are missing, which may cause confusion in identification of the Petitioner's portion.

4. Petitioner also argued that the Consolidation Officer heard the matter several times but dismissed the Petitioner's application on 02.09.2025, stating that no powers remain after completion of consolidation proceedings. Petitioner, therefore, files the present revision petition before this Hon'ble Authority seeking correction of the wrong entries and restoration of his lawful rights as per the Consolidation Scheme.
5. None appeared for the Respondent, however, as per reply placed on record by Respondent it was submitted that Respondent has no authority to take any action after the completion of consolidation proceedings, as all such powers now vest with the Hon'ble Financial Commissioner under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. That the consolidation proceedings of Village Khera Kalan were finally concluded on 19.09.2022 in compliance with the directions of the Hon'ble High Court of Delhi in Contempt Case No. 918/2021 (Narender Rana & Ors. vs. Sanjeev Khirwar & Anr.). That Khata No. 108/1, belonging to the Petitioner, was re-examined by the Scrutiny Team on the direction dated 16.03.2024 due to alleged excess allotment, and accordingly, an entry of excess allotment was made in the said Khata. That since consolidation proceedings have already been completed, the deponent has no authority to decide or entertain the Petitioner's application, which has already been informed to the Petitioner vide this office letter No. 5644 dated 02.09.2025.
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. 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. 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 2019 would involve entering into an area where the revenue courts have no jurisdiction to enter. 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 concerned Tehsildar/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. In case the Petitioner is not satisfied with the decision of C.O., he is allowed to appeal to SDM/RA.
12. The revision petition bearing no. 183/2025 disposed of in terms of the above.
13. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

12.11.2025

Present : Ms. Shivangi Kumar, Counsel for Petitioner.
: Shri Sanjay Kumar, R-2 in person.

1. Counsel for Petitioner contended that Petitioner is aggrieved by the order dated 22.08.2025 passed by District Magistrate, South-West on the issue of limitation.
2. Brief facts submitted by the Petitioner that the Petitioner is the lawful owner of 45 Bigha 11 Biswa land in Village Mundhela Kalan, Delhi, earlier owned by Basons Investments Pvt. Ltd. and others as co-bhumidars. In 2017, Respondent No. 1 filed a case under Section 36 of the Delhi Land Reforms Act before the SDM for partition on grounds of physical infirmity. However, the SDM, without deciding under Section 36, wrongly passed an order on 31.10.2019 under Section 40 for exchange of land which lies within the Deputy Commissioner's jurisdiction, not the SDM's. The Petitioner purchased Basons' share in September 2023 and, after obtaining case records in July 2025, filed an appeal before the DM on 18.07.2025. However, the DM dismissed the appeal on 22.08.2025 for limitation without giving any hearing, violating the principles of natural justice.
3. It is noted that the land involved in the present case falls under Village Mundhela Kalan. Ministry of Urban Development (Delhi Division) vide notification No.S.O.1744E dated 18.06.2013 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 Mundhela Kalan figures in the annexure of aforesaid notification dated 18.06.2013 and was declared Low Density Residential Area.
4. The attention of this Court has been drawn to a judgment dated 10.04.2023 passed by the Hon'ble High Court in WP(C) No.3502/2022 titled **Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.**

5. In the interest of justice, the limitation period is waived off and the matter is remanded back to the District Magistrate (S.W.) to hear both the parties and passed a speaking order based on merits.
6. The revision petition bearing no. 191/2025 disposed of in terms of the above.
7. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

12.11.2025

Present : Ms. Bhawna, Proxy Counsel for Appellant.
: Shri Ankur Meshram, R-1/ADM (North) in person.
: Shri Rishab Chaudhary, Counsel for R-2 to R-4.

1. The Proxy Counsel for Appellant contended that the present appeal has been filed under Section 66 of Delhi Land Revenue Act against the order dated 26.07.2021 passed by the Additional Collector/ADM (North) wherein the appeal under Section 64 of the DLR Act filed by R-2 was allowed without impleading the Appellant as a Party. The Proxy Counsel for Appellant further contended that Shri Chhotu S/o Shri Bhola was the owner of the subject property. Shri Bhola had expired on 20.08.1986 leaving behind only two married daughters namely Smt. Murti Devi and Smt. Gango Devi. Shri Ram Singh being brother's son inherited the property of Shri Bhola and accordingly, mutation in the name of Ram Singh was done on 05.01.1990.
2. The Proxy Counsel for Appellant also contended that Shri Ram Singh expired on 27.10.2011 leaving behind a Registered Will dated 26.09.2008 in the name of Shri Omdutt Bhardwaj. Thereafter, Shri Omdutt Bhardwaj sold the subject land vide different Sale Deeds to the present Appellant and other persons. Further, in 2010, an appeal was filed by Smt. Murti Devi and Legal Heirs of other daughter Smt. Gango Devi against the mutation order dated 05.01.1990. The said appeal was filed on a purported ground that Shri Chottu had executed a Will dated 23.01.1986 in favour of his two daughters. In fact, this Will was forged by the above natural legal heirs who are Respondents herein after a gap of 30 years.
3. The Proxy Counsel for Appellant further contended that a petition was filed by R-2 seeking probate/letter of administration before District Court bearing case no.

50397/2016 which was dismissed on 23.04.2024 by the Court of the ADJ. The appeal filed before the ADM against the order dated 05.01.1990 was not maintainable and the Appellant never came to know about the said appeal as no notice was served upon the Appellant.

4. On query by this court to the R-1/ADM regarding the details of bequeathed nine persons in the matter, the R-1/ADM submitted that the ADM office does not have any record in this case and only SDM office can provide them the requisite details. The R-1/ADM undertook to file the requisite details after obtaining the records from the SDM office on the next date of hearing.
5. R-2 to R-4 are directed to file copy of family tree of Bhola Singh, the original owner of the land in this case with advance copy to the Appellant. The Appellant is also directed to file a copy of chronology of events with advance copy to R-2 to R-4 before the next date of hearing.
6. R-1 to file his reply with advance copy to other parties.
7. Adj. to 03.12.2025 for further arguments.

**Financial Commissioner
Delhi**

Jagdish Singh Vs. Gaon Sabha Mohd.Pur Majri

12.11.2025

Present : Ms. Bhawna, Proxy Counsel for Petitioner.
: None for Respondent.

1. The Counsel for Petitioner submitted that the petitioner and his brothers are co-owners in possession of land bearing Khasra Nos. 29/1 (4-16) and 29/2 (4-16) situated in Village Mohammad Pur Majri, Delhi. The impugned order dated 17.02.2021 was passed under Section 81 of the Delhi Land Reforms Act, 1954 based on alleged non-agricultural use, even though Village Mohammad Pur Majri had already been urbanized on 16.05.2017. As per binding precedents including Sanvik Engineers India Pvt. Ltd. vs. Union of India and Mohinder Singh (Dead) through LRs vs. Narain Singh & Ors. (2023), any proceedings or orders passed under the DLR Act after urbanization are without jurisdiction and non-est in law. The impugned order erroneously refers to khasra Nos. 21/1 and 21/2, which do not belong to the petitioner, further rendering it invalid. The Petitioner further prayed to quash/set aside the order dated 17.02.2021 passed by the Sub-Divisional Magistrate, Kanjhawala, Delhi, as being null and void.
2. The Petitioner has bypassed the Appeal stage and come directly in Revision. This is not admissible in normal circumstances. Hence this Court is not inclined to interfere with the present case and the Petitioner is at liberty to approach the appropriate forum in appeal. The counsel for Petitioner undertook to withdraw the petition and approach the DM in appeal.
3. The revision petition bearing no. 155/2025 is dismissed as withdrawn with liberty to Petitioner to approach Appellate Court.
4. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 171 of 2025
Balbir Sharma
Vs.
Gram Sabha, Fatehpur Beri & Ors.

12.11.2025

Present : Shri Vinay Kumar Pathak, Counsel for Petitioner.
: Shri Sumit Goel, Counsel for R-1, G.S.
: Shri A. K. Sen, Counsel for R-3.
(Filed Vakalatnama)

1. Counsel for Petitioner contended that the petitioner challenged the proceedings and order dated 31.07.2025 passed by the Revenue Assistant/SDM, Mehrauli in respect of land situated in Village Fatehpur Beri. The said proceedings are without jurisdiction as the Delhi Land Reforms Act, 1954 ceased to apply to Fatehpur Beri after notification dated 18.06.2013 declaring the village as Low-Density Residential Area (LDRA). Despite this, the RA/SDM continued to exercise powers under the DLR Act, contrary to law and settled judicial precedents including *Mohinder Singh v. Narain Singh* (2023 SCC Online SC 261), and judgments of the Hon'ble Delhi High Court in *Sanraj Farms Pvt. Ltd. v. Charan Singh & Ors.* and *Nilima Gupta v. Yogesh Saroha*. It is well established that any order passed without jurisdiction is void ab-initio. Hence, the impugned order is illegal, arbitrary, and liable to be quashed.
2. Counsels for R-1 and R-3 counter the arguments of the Petitioner by saying that this court has no jurisdiction and it is not maintainable before this court due to non-applicability of provisions of DLR Act on the land covered under the LDRA and accordingly liable to be dismissed.
3. Keeping in view the above and also the fact that in pursuance of law laid down by the Hon'ble High Court as per judgement dated 10.04.2023 titled ***Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.***, this court also ceases to have jurisdiction in this matter.
4. However, the Petitioner is not willing to withdraw the petition and approach the appropriate forum to agitate his case. Accordingly, this petition is dismissed due to non-jurisdiction. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

**Jagbir Singh
Vs.
Willington Land Realty Pvt. Ltd. & Anr.**

12.11.2025

Present : Shri Praveen Dagar, Proxy Counsel for Appellant.
: Shri Abhilash Vashishth, Counsel for Respondent.

1. The Counsel for Appellant contended that the Appellant filed the present appeal under Section 66 of the Delhi Land Revenue Act, 1954 against the order dated 17.05.2025 passed by the District Magistrate (South-West). The DM set aside the mutation which was sanctioned in favour of the Respondent herein vide order dated 03.04.2019 passed by the Tehsildar, Najafgarh. The Appellant further contended that he is a bhumidar and in cultivatory possession of 1/9th undivided share of land measuring 42 bighas 19 biswas bearing Mustakil No.94 in khasra Nos.4 (4-16), 7 (4-16), 17 (4-12), 18/1 (3-13), 18/2 (0-19), 19 (4-16), 20 (4-16), 21 (4-12), 22/1 (3-14) and Mustakil No.95 in khasra No.1 (2-09), 2/1 (2-16) situated in the revenue estate of village Dhansa, Delhi. The father of Appellant, Hoshiyar Singh died in 2017 leaving behind LRs namely Ravidutt, Jagbir Singh & Parveen Kumar. In pursuance of the same, the suit land was mutated in the names of all the LRs having 1/9th share.
2. The Counsel for Appellant also contended that one of the brothers of Appellant namely Ravidutt expired in 2009 and another brother namely Parveen Kumar expired in 2017 without leaving behind any LRs. Hence, the Appellant was the only surviving male descendant in respect of share of Parveen Kumar in suit land and therefore, Appellant got the land of his brother mutated in his name on 03.04.2019. On 14.12.2021, R-1 filed an appeal against the mutation order dated 03.04.2019 before the District Magistrate in which R-1 alleged that he was not arrayed as a party or given notice by the

Tehsildar before granting mutation despite having purchased the share of Parveen Kumar vide Sale Deed dated 30.07.2013. However, the DM vide order dated 17.05.2025 set aside the order passed by Tehsildar and mutation was sanctioned in favour of R-1. Aggrieved by the impugned order dated 17.05.2025, Appellant filed the present appeal on the ground that the land is covered under LDRA Notification dated 18.06.2013, therefore the DM had no jurisdiction to pass the impugned order as the land ceased to be agricultural land and provisions of DLR Act not applicable.

3. The Counsel for R-1 submitted that the appeal filed by the Appellant against the mutation granted in its favour is not maintainable. R-1 claimed that suit land was purchased by them through registered sale deed dated 30.07.2013 from Parveen Kumar before he expired in 2017. It is further submitted that there is no challenge to the said sale deed till.
4. In this respect, order No.F185/SDM-II (HQ)/Land/2023/ 087731755/304 dated 17.09.2024 passed by the Divisional Commissioner, Delhi regarding issuance of administrative directions is seen and it is noted that the respective revenue authorities of each revenue area were directed to update and record the name of legal heirs(s) in the register of record of rights till an appropriate legal frame work is made in respect of urban areas. It is also ordered that "...(ii) *In case of any dispute between the legal heir(s), the parties may be directed to resolve their dispute through appropriate judicial forum of civil court in accordance with law.*"
5. The impugned order dated 17.05.2025 has been passed by the District Magistrate in his administrative capacity in compliance with the above order and not under any statutory provision flowing from DLR Act, 1954. This Court has no jurisdiction to deliberate on such administrative orders.

6. Accordingly, the appeal bearing No.172/2025 titled **Jagbir Singh Vs. Willington Land Realty Pvt. Ltd. & Anr.** is dismissed with liberty to all the parties to approach appropriate judicial forum of civil court in accordance with law.
7. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

12.11.2025

Present : Shri N. S. Dalal, Counsel for Petitioner.
: Shri Shyam Sundar, Counsel for Respondents.

1. Counsel for Petitioner contended that the order dated 26.08.2025 ignores earlier binding orders from superior courts, including the Delhi High Court, which said no valid partition has happened. The Revenue Assistant did not follow directions to do a proper, fair partition as required by law. Petitioner got less land than their rightful share (2/5), without explanation. The process was unfair, ignored the law, and facts were not properly considered. Counsel for Petitioner further prayed-
 - i. To Set aside the order dated 26.08.2025.
 - ii. Give 2/5 share of the land to Petitioners, as per law. Award costs to Petitioners. Give any other relief the Court finds fair.
2. Although an Appeal does lie to DM but keeping in view that Petitioner had to go through prolonged litigation, the the Review petition is admitted. The Counsel for Respondent has no objection. Counsel for Petitioner is directed to file the chronology of events before the next date of hearing.
3. The SDM is impleaded as a Respondent by the Counsel for Petitioner through an amended memo of parties for the same. However, none appeared for respondent. Issue notice to the SDM concerned through DM concerned to be present next time.
4. Counsel for Respondents failed to file reply and sought time to file the same with an advance copy to the Petitioner before the next date of hearing. Request is allowed.
5. Adj. to 03.12.2025.

Case No. 194 of 2025

12.11.2025

Present : Shri Muntazir Mehdi, Attorney for Restoration
Applicant.
: Shri Ravi Kumar Mishra, Counsel for Respondent.

1. Counsel for Petitioner contended that the appeal was listed on 19.08.2025 but was dismissed for non-prosecution as the counsel was engaged in other matters at Tis Hazari Court. His absence was neither intentional nor deliberate but due to genuine reasons, and the intern present could not convey the situation properly. Further, there is a delay of 7 days in filing this application due to the death of the applicant's grandfather on 11.09.2025. The applicants will suffer irreparable loss if the order dated 19.08.2025 is not recalled. It is therefore prayed to restore the case in the interest of justice.
2. Keeping in view of the above, in the interest of justice the case is restored to board with a cost of Rs.5000/- which is to be deposited in the account of DDO, GAD, GNCTD failing which, the case shall be dismissed. Restoration applicant is also directed to be regular and lead the case adequately on the next date of hearing.
3. Counsel for Respondent sought a copy of restoration application for filing reply. Restoration applicant undertook to provide the same.
4. Adj. to 24.11.2025.

**Financial Commissioner
Delhi**

Gaon Sabha Fatehpur Beri
Vs.
Director Mrs.Tameet Kaur (M/s.TPJ Pvt. Ltd.)

12.11.2025

Present : None for Petitioner.
: None for Respondent.

1. None appeared for the Petitioner as well as Respondent despite case was passed over twice.
2. It is seen from the records that the present revision petition has been filed under Section 187 of the DLR Act, 1954 by the Petitioner Gram Sabha against the order dated 30.09.2024 passed by the Collector (South) whereby the order dated 28.09.2021 passed by SDM/RA (Mehrauli) was upheld and dropped the proceedings initiated under Section 81 of the DLR Act, 1954. Against the order dated 28.09.2021, Gram Sabha filed the present revision petition.
3. It seems that the Petitioner Gram Sabha is not very keen to pursue the matter. Accordingly, the revision petition bearing No.193/2025 titled "**Gaon Sabha Fatehpur Beri Vs. Director Mrs.Tameet Kaur (M/s.TPJ Pvt. Ltd.)**" is dismissed for non-pursuance.
4. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi