

Case No. 208 of 2025
Ram Khilari (Deceased through LRs)
Vs.
Tehsildar Kanganheri & Ors.

0.12.2025

resent : Shri Sriom, Counsel for Petitioners.
: Shri Nitin Yadav, Counsel for Respondent.

1. It is noted that during the previous hearing dated 26.11.2025, it has been mentioned in para 3 '----- the Petitioner has relied upon a forged and fabricated will dated 01.09.2000' the same may be read as '-----'. It has been however contended by the Petitioner that the Respondents had relied upon a forged and fabricated Will. Thus, it may be read as an allegation of petitioner against the respondent.'
2. The Counsel for the Petitioners contended that the present Petition has been filed under Section 187 of the Delhi Reforms Act, 1954 against the mutation entries dated 24.08.2020 passed by R-1 Tehsildar, Village Kanganheri and as well as entries dated 20.02.2020 & 21.08.2020 passed by R-2, SDM/RA.
3. The Counsel for Petitioners further contended that the Predecessor-in-interest of present petitioner Late Sh. Ram Khiladi was the owner and in possession of the suit property to the extent of 1/3rd share, comprising in Khasra No. 33//16 (4-11), 33//17 (4-12), 33//25 (4-16), 46//10/2(1-15), 11/1(1-15), 20/2(1-15), 21/1(1-15), 47//15/2(2-08), 16/1(2-08), 25/2(02-08) and 6/1(2-00) admeasuring 30 Bigha and 03 Biswa of agriculture land situated in the Revenue Estate of Village Kangan Heri, Delhi. Sh. Ram Khilari died on 26.11.2023. The counsel for Petitioners also contended that Respondent herein have relied upon a forged and fabricated Will dated 01.09.2000 purported to be executed by Late Sh. Gulab Singh and the said Will was challenged by the Late Sh. Ram Khilari and after the demise of Late Sh. Ram Khilari his legal heirs i.e.

present applicants/objectors have challenged the said Will by filing a Second Appeal before the Hon'ble Delhi High Court, Delhi where the matter is pending adjudication.

4. Counsel for Petitioners further contended that an objection application under Order 7 rule 11 CPC is also pending before the court of S.D.M/RA, Kapashera for dismissal of pending proceedings u/s 23 of DLR Act regarding mutation entries made vide order dated 24.08.2020 and same is fixed for 05.01.2026.
5. It is noted that the land involved in the present case falls under Village 'Kanganheri'. 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 the revenue estate of the said village 'Kanganheri' as Low Density Residential Areas (LDRA).
6. Keeping in view the fact that proceedings are pending before the SDM/RA, the interim protection (no coercive action) granted vide previous order dated 26.11.2025 stands vacated and in the interest of justice, the matter is remanded back to the SDM (S.W.). The SDM may look into the matter including the aspect of jurisdiction of revenue authorities post LDRA notification and pass a speaking order preferably within next three months.
7. The revision petition bearing no. 208/2025 is accordingly disposed of in terms of the above.
8. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Ram Khilari (Deceased through LRs)
Vs.
Tehsildar Jhatikra & Ors.

10.12.2025

Present : Shri Sriom, Counsel for Petitioners.
: Shri Nitin Yadav, Counsel for Respondent.

1. It is noted that during the previous hearing dated 26.11.2025, it has been mentioned in para 3 '----- the Petitioner has relied upon a forged and fabricated will dated 01.09.2000' the same may be read as -----. 'It has however been contended by the Petitioner that the Respondents had relied upon a forged and fabricated Will. Thus, it may read as allegation of petitioner against the respondent.' Also the name of the village was inadvertently mentioned as Kangan Heri. The same may be read as village 'Jhatikra'.
2. The present Petition has been filed under Section 187 of the Delhi Reforms Act, 1954 against the mutation entries dated 24.08.2020 passed by R-1 Tehsildar, Village Jhatikra and entries dated 20.02.2020 & 21.08.2020 passed by R-2, SDM/RA.
3. The Counsel for Petitioners further that the Predecessor-in - interest of present petitioner Late Sh. Ram Khiladi was the owner and in possession of the suit property to the extent of 1/3rd share, comprising in Khasra No. 11//12/1(0-03), 13(4-06), 17//11/2(2-01), 17//2/2 (2-02), 18 (4-03), 19/2 (1-15), 22(4-16), 24/1 (3-04), 29(10-05)14//2/1 (1-06), 26(0-04), 3/1(1-06), 4//1/1 (0-7) admeasuring 31 Bigha and 04 Biswa of agriculture land situated in the Revenue Estate of Village Jhatikra, Delhi. Sh. Ram Khilari died on 26.11.2023. The counsel for Petitioners also contended that Respondent herein have relied upon a forged and fabricated Will dated 01.09.2000 purported to be executed by Late Sh. Gulab Singh and the said Will was challenged by the

Late Sh. Ram Khilari and after the demise of Late Sh. Ram Khilari his legal heirs i.e. present applicants/objectors have challenged the said Will by filing a Second Appeal before the Hon'ble Delhi High Court, Delhi where the matter is pending adjudication.

4. Counsel for Petitioner further contended that an objection application regarding mutation entries under Order 7 rule 11 CPC is also pending before the court of S.D.M/RA, Kapashera u/s 23 of DLR Act and same is fixed for 05.01.2026.
5. It is noted that the land involved in the present case falls under Village Jhatikra. 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 the revenue estate of said village 'Jhatikra' as Low Density Residential Area.(LDRA)
6. Keeping in view the fact that proceedings are pending before the SDM/RA, the interim protection (no coercive action) granted vide previous order dated 26.11.2025 stands vacated and in the interest of justice, the matter is remanded back to the SDM (S.W.). The SDM may look into the matter including the aspect of jurisdiction of revenue authorities post LDRA notification and pass a speaking order preferably within next three months.
7. The revision petition bearing no. 209/2025 is accordingly disposed of in terms of the above.
8. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Maya Dass Vs. Consolidation Officer & Ors.

10.12.2025

Present : Shri Diwas Kumar, Counsel for Petitioner,
: Shri Shlvam, Intern of the Counsel for R-1, CO.

1. It has been contended by the Counsel for Petitioner that the present revision petition has been filed under Section 42 of the East Punjab Holding (Consolidation & Prevention of Fragmentation) Act, 1948 challenging the reduction of 8 biswa of land. Counsel for Petitioner further contended that the Petitioner herein is the recorded bhumidar and in possession of land bearing Khasra No. 10/22 (04-04) in village Badusarai and was cultivating the said land continuously since 2014. The consolidation proceedings of the village were started in 2013 and completed in 2016. Thereafter, upon conclusion of consolidation proceedings in said village, the petitioner was allotted post-consolidation holding bearing khata no. 206/173 in khasra no.10//23 and the area recorded in the post-consolidation record is only 3 bigha 8 biswa resulting in deduction of 8 biswa from the Petitioner's original holding. As per the statutory scheme, the permissible deduction towards 'Mujrai/Common Purpose land' is strictly limited to only 4 biswa. Hence, the deduction of 8 biswa is unlawful, irrational and excessive. The Counsel for Petitioner prayed for status quo of the said land holding and the deduction be restricted upto 4 biswa only.
2. It is seen from the record that the petitioner herein has failed to submit any resolution vide which his land has been deducted, as alleged by him, despite clear directions from the Court. The Counsel has further failed to clarify the exact period of consolidation in the said revenue estate of village 'Badusarai' as well as the date/period during which the alleged deduction has been made by the revenue authorities.

3. It is noted that 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 the revenue estate of village 'Badusarai' as Low Density Residential Areas.

4. The attention of this Court has been drawn to the 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.**". The Hon'ble High Court has held that -

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

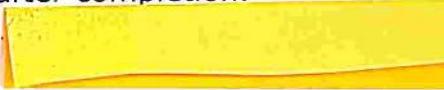
13. It is no longer res-integra that once an area has been declared as LDRA, it ceases to be a rural area and becomes part of urban area. The area in question i.e. Village 'Badusarai' was declared as LDRA by way of Gazette notification dated 18.06.2013 issued by the Ministry of Urban Development (Delhi 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 'Badusarai' 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 'Badusarai' became an urban village, and therefore, the DLR Act ceased to apply to the land in question.*

16. *Thus, position is clear that Village 'Badusarai' 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 'Badusarai', where the land, subject matter of this writ petition is situated....."*

5. Accordingly, the petitioner is directed to approach the appropriate forum of law for redressal of his grievance.
6. The revision petition bearing no. 207/2025 is accordingly disposed of in terms of the above.
7. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

0.12.2025

Present : Shri Humayu Khan, Proxy Counsel for Petitioner.
: Shri Pradeep, Counsel for R-1 and R-2.
: Shri Sunil Kumar, Counsel for R-3.

1. Proxy Counsel for Petitioner requested for adjournment as the main Counsel is not available. Request is allowed as a final opportunity with costs of Rs.2000/- which is to be deposited in the account of DDO, GAD, GNCTD before the next date of hearing.
2. R-3, SDM (Narela) filed reply which was confirmed by the Counsel for R-1 and R-2 who further contended that the joint inquiry report dated 25.11.2021 of the Halka Patwari and the subsequent report dated 05.12.2025 categorically establish that the respondent (petitioner herein) is not a bona fide resident of Village Pooth Khurd and had fraudulently obtained the industrial plot by misrepresentation. He further stated that the demand at Serial No. 43 of the Demand Register does not pertain to the petitioner, the demand/entry having already stood satisfied by allotment of Khasra No. 155/265 (0-6), Village Pooth Khurd, in favour of Hakdarwar No. 307, as evident from the relevant Karyavahi Register.
3. Counsel for R-3, SDM (Narela) filed reply and submitted that the present revision petition challenges the order dated 05.04.2023 passed by the Settlement Officer/SDM, Narela, concerning the disputed allotment of Industrial Plot Khasra No. 156/206 (0-6) in Village Pooth Khurd. Originally, the plot was allotted to Satyadev during land consolidation under the East Punjab Holdings Act, 1948. A demand for this plot was recorded in the Demand Register of Village Pooth Khurd against the name of Sh. Pradeep Kumar. Subsequently, by order dated 18.02.2014, the Consolidation Officer withdrew the plot from Hakdarwar No. 249 (respondents) and allotted it to the petitioner herein, Pradeep Kumar, against the recorded demand. R-1 and R-2 challenged the allotment

before the Settlement Officer, who dismissed their claim on 07.07.2021. Thereafter, they filed a review application alleging that the petitioner is not a bonafide resident of Village Pooth Khurd and had obtained the allotment by impersonating the genuine bhumidar, Pradeep Kumar, who was a recorded resident prior to the 1993 notification under the EPH Act. The Settlement Officer, after considering the review application, allowed it on 05.04.2023, set aside the previous orders, and directed that the industrial plot be withdrawn from the petitioner and allotted to the respondent's predecessor-in-interest Late Shri Satya Dev. Inquiry reports dated 25.11.2021 and 05.12.2025 supported this conclusion by confirming that the petitioner is not a bonafide resident and had obtained the plot through impersonation.

4. Keeping in view of the above facts, Petitioner is directed to first explain on the next date of hearing as to how this Court has jurisdiction to hear this revision petition since the said village Pooth Khurd stands urbanized vide Notification dated 16.05.2017 and revenue authorities do not have jurisdiction after urbanization in terms of the judgment dated 14th March, 2023 passed by the Hon'ble Supreme Court of India in case titled "***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others***".
5. Adj. to 17.12.2025 for arguments.



10.12.25

**Financial Commissioner
Delhi**

10.12.2025

Present : Shri Kameshwar Mishra, Counsel for Appellant.
: Shri Pradeep Kumar Saini, Counsel for R-1.
: Shri Rahul Jariyal, Counsel for Impleadment Applicant
i.e. Shri Madan Pal Gupta.

1. Counsel for Appellant contended that the appellant, Smt. Maya Devi, filed this second appeal challenging the order dated 26.09.2023 passed by Deputy Commissioner/Collector (Central District) which dismissed her earlier appeal. The dispute concerns land in village Mukandpur, Delhi, originally owned by Late Sh. Ram Kishan and subsequently inherited by his three sons, who sold their shares to their wives, including the appellant and respondent Lalita Devi (R-1 herein). R-1 sold her one-third share of the land but wrongfully claimed entitlement beyond her share to lease the property. R-1 filed a petition in under Section 36 of the Delhi Land Reforms Act (DLR Act) in the year 2006 for permission to lease her share of land. The appellant contests R-1 claim, asserting R-1 herein has no lawful share or possession of the disputed khasra no. 213, as she has already sold her share to Sh. Madan Pal Gupta. The impugned orders by the SDM/RA and the Appellate Court of DC lacks jurisdiction since Village Mukandpur stands urbanized vide notification dated 16.05.2017 is outside the scope of the Delhi Land Reforms Act and Delhi Land Revenue Act. Further, the lower courts failed to apply relevant legal precedents and neglected to consider material evidence proving R-1's sale her part of land. The appellant submits the orders violate principles of natural justice, improperly rely on mutation entries, and has prayed for setting aside the same. Counsel for Appellant also contended that the partition suit filed in the year 2008 is still pending adjudication before the SDM/RA and in the meanwhile, the R-1 herein has sold her share of land to Shri Madan Pal Gupta.

2. Counsel for R-1 sought a copy of the Petition for filing reply. Petitioner undertook to supply the same.
3. Counsel for impleadment applicant i.e. Madan Pal Gupta submitted that R-1 has sold her share to him through registered GPA on 21.08.2018. R-1 confirmed this sale. He further requested to be impleaded as Respondent in this case on the basis of the order dated 09.04.2024 of the Hon'ble High Court of Delhi. On specific query, the Counsel for Appellant and R-1 submitted that they have no objection to implead Madan Pal Gupta as respondent in this case.
4. Counsel for Petitioner is directed to file an amended memo of parties by impleading the subsequent purchaser, Shri Madan Pal Gupta. It is also noted that the SDM concerned is a necessary party who ought to have been impleaded. Accordingly, the appellant is directed to file amended memo of parties and serve newly added respondent with a copy of appeal, before the next date of hearing.
5. The Counsel for Petitioner will explain on the next date of hearing as to why he is aggrieved by R-1's plea before SDM for permission to leave the land. R-1 will explain how she sold the land "belonging to her" when the partition suit is still pending and why after admitting sale of her share still pursuing application to permit lease of land.
6. Issue dasti notice to the concerned SDM to appear and defend the case on the next date of hearing.
7. Adj. to 24.12.2025.

**Financial Commissioner
Delhi**