

06.01.2026

Present : Shri Akash Prashar, Counsel for Petitioner.
: Shri Ashish Shukla, Patwari for Respondent, C.O.

1. The Counsel for Petitioner contended that the Petitioner had filed revision petition under Section 42 of East Punjab Holdings (Consolidation & Prevention of Fragmentation) Act, 1948 against the order dated 29.07.2016 passed by C.O. (Najafgarh). As per revision petition, the consolidation proceedings of village Issapur initiated in the year 1974-75 under the said Act and Petitioner is co-sharer of land bearing Khasra Nos. 86/6/2, 86/7/2, 86/14/2, 86/15, 90/15/2 and 90/14/2 of village Issapur, Delhi. The said land is agricultural land and no approach road/rasta was provided by the Consolidation Officer during the consolidation proceeding of Village Issapur and as it was difficult to bring agriculture equipment to the suit property.
2. Further, the petitioner moved an application before the consolidation officer for his grievance but the same was rejected vide order dated 29.07.2016 on the ground that the consolidation proceeding of village Issapur has been completed and the record has also been consigned to record room and Consolidation Officer has become functuous-Officio and he could not do anything without direction of the competent court.
3. The Counsel for Petitioner further submitted that the predecessor Financial Commissioner vide order dated 20.09.2018 allowed the petition and directed Consolidation Officer to hear the petitioner and to consider their request. But nothing fruitful has been done by the Respondent, C.O. and disregarded the order of the FC Court. Hence, the present contempt petition under Section 12 of Contempt of Courts Act has been filed before this court.
4. When asked about competency of CO to give relief to petitioner post-LDRA notification, the Counsel for Petitioner requested for adjournment to clarify on the next date of hearing regarding LDRA notification.

5. The representative of Respondent submitted that the C.O. has been newly appointed and he will submit detailed status on the next date of hearing.
6. The C.O. is directed to come prepared to defend the case properly on the next date of hearing.
7. Adj. to 12.01.2026 for final concluding arguments.

Financial Commissioner
Delhi

06.01.2026

Present : Shri Vinay Kumar Pathak, Counsel for Petitioner.
: Shri Bhim Kishor and Shri Ajit Kumar, Counsels for Respondent, Tehsildar/CO made appearances later on.

1. The present petition has been filed by the Counsel for Petitioner under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against remarks of Consolidation Officer while consigning the consolidation records of village Khera Kalan on 21.07.2025.
2. The Counsel for Petitioner contended that the petitioners were owners of joint holding which was separated in the consolidation. During consolidation, allotment of agricultural land, residential plot and industrial plots were made to all three petitioners in lieu of double agricultural land. While closing the consolidation proceedings, new record of rights was prepared and notices were issued to the petitioners stating that during scrutiny of records, some deviation was found. Accordingly, the petitioners appeared before Consolidation Officer and submitted all documents. However, after consignment of consolidation records, when petitioners obtained record of right i.e. khatoni paimish, it was revealed that in the remarks column, following observations were made - "*As per order of Hon'ble SO(C)/SDM/AP dated 16.03.2024 Khata Scrutiny Team has found the allotment without demand which is under the process of re-examination*".
3. It has been further contended that after consignment of consolidation records by the revenue department in the year 2025, the revenue authorities acknowledge that the Petitioner's land exists without demand allotment and is under re-examination.
4. The Petitioners seek that the Consolidation Officer be directed to remove the remarks made in remarks column of Khatoni Paimish in Khata No.76 belonging to Petitioner No.1, Khata No.77 belonging to Petitioner No.2 and Khata No.80 belonging to Petitioner No.3 and issue fresh khatoni paimish.

5. It is contended by the petitioners that they were not aware about any order passed by the SO (C)/SDM dated 16.03.2024. In case of any irregularity, the same is required to be adjudicated in accordance with law, which has not been done in the present case. It is further contended that once consolidation proceedings are completed, the Consolidation Officer does not have any power to re-examine the allotment.
6. It is noted that the said village 'Khera Kalan' stands urbanised on 20.11.2019 and the revenue authorities cease to have jurisdictions after urbanisation in terms of judgement passed by the Hon'ble Supreme Court in case no. CA No.3827/2017 dated 14.03.2023 in the matter of "***Mohinder Singh (Deceased) through LRs. & Ors. Vs. Narain Singh (Deceased) through LRs & Ors.***".
7. Further, post-urbanization, to enter in the matter where the village already stood urbanized in 2019 would involve entering into an area where the revenue courts have no jurisdiction to enter.
8. The Delhi Land Reforms Act, 1954 ceases to exist after urbanisation in accordance with the judgment dated 26.03.2010 of Hon'ble High Court of Delhi in the case titled as ***Indu Khorana Vs. Gram Sabha***, the ruling of which was upheld by the Hon'ble Supreme Court of India vide decision dated 05.04.2016 and also as per recent judgement dated 14.03.2023 of Hon'ble Supreme Court of India in case titled ***Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others***, in which the Hon'ble Court 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.*" Said rulings do not provide for continued applicability of the Delhi Land Reforms Act, 1954 by the revenue courts.
9. After the urbanisation of the land/village i.e. Khera Kalan on 20.11.2019 in this case, the definition of the land which is derived from the Delhi Land Reforms Act is non-est once the

Land Reforms Act goes. The Delhi Land Reforms Act, 1954 defines 'land' under Section 3(13) which is as under :-

(13) "land" except in sections 23 and 24, means land held or occupied for purpose connected with agriculture, horticulture or animal husbandry including pisciculture and poultry farming and includes—

- (a) Buildings appurtenant thereto,
- (b) Village abadis,
- (c) Grovelands,
- (d) Lands for village pasture or land covered by water and used for growing singharas and other produce or land in the bed of a river and used for casual or occasional cultivation, but does not include— land occupied by building in belts or areas adjacent to Delhi town, which the Chief commissioner may by a notification in the official Gazette declare as an acquisition thereto ;

Further, section 3 sub-section 5 & 10 of the Delhi Land Revenue Act, 1954 defines 'land' to be as referred under the Delhi Land Reforms Act, 1954. The extract is as below:

Section 3 Definitions-

.....
(5) "revenue" means land revenue;
.....
(10) words and expression agricultural year, Asami, Bhumidar, cess, charitable purpose, estate, Gaon Sabha, holding, **land**, rent, village or any other expressions, not defined in this Act and used in the **Delhi Land Reforms Act, 1954**, shall have the meaning assigned to them in the **Delhi Land Reforms Act, 1954**.

10. From the foregoing, it is clear that the entire Delhi Land Revenue Act, 1954 takes the definition of 'land' from the Delhi Land Reforms Act, 1954. The said definition of 'land' not being available to the Delhi Land Revenue Act, 1954 when the Delhi Land Reforms Act, 1954 ceases to exist post urbanization, makes it clear that the Delhi Land Revenue Act cannot stand on its own legs for whatsoever reasons. In simple terms, post the Delhi Land Reforms Act, the Delhi Land Revenue Act clearly has no basis to continue since the definition of 'land' itself is "*non-est*" once the Land Reforms Act goes.
11. After urbanization of the land/village, the area that is squarely covered by the provisions of Section 1(2) of the Delhi Land Reforms Act is as under :
 1. *Short title, extent and commencement-*
(1) *This Act may be called the Delhi Land reforms Act 1954.*
 - (2) It extends to the whole of the Union territory of Delhi, but shall not apply to –*

(a) [the area which are or may before the first day of November, 1956 be] included in a Municipality or a Notified Area under the provisions of the Punjab Municipal Act, 1911, or a Cantonment under the provisions of the Cantonment Act, 1924,

(b) [areas] included in any estate owned by the Central Government or any local authority, and

(c) areas held and occupied for a public purpose or a work of public utility and declared as such by the Chief Commissioner or acquired under the Land Acquisition Act, 1894, or any other enactment other than this Act, relating to acquisition of land for a public purpose.

12. 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.
13. 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 covered in Section 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. Section 31 of the Punjab Land Revenue Act, 1887 explains 'record of rights'. In the case of GNCTD, the Punjab Land Revenue Act, 1887 has been extended to Delhi under the aegis of Delhi Land Revenue Act, 1954.
14. Similarly, as per Section 2(b) the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 -
(b) "*Consolidation of Holdings*" means the amalgamation and the redistribution of all or any of the lands in an estate or sub-division of an estate so as to reduce the number of plots in the holdings; Further, 'economic holding' and 'estate' have been defined vide Section 3(7) and 3(8) of the Delhi Land Reforms Act, 1954.

15. Therefore, it is seen that once Delhi Land Reforms Act, 1954 and consequently, the Delhi Land Revenue Act, 1954 cease to apply, the definition of 'estate', 'record of rights' and 'economic holding' are not available for the purpose of the consolidation proceedings under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.
16. In the light of all the foregoing, post-urbanization, to enter into the matter where the village already stood urbanized in 2019 would involve entering into an area where the revenue courts have no jurisdiction to enter to begin with, therefore, this court is not inclined to deal with this petition further. Accordingly, revision petition bearing No. 220/2025 titled ***Shri Yashpal & Ors. Vs. Tehsildar/Consolidation Officer*** is dismissed.
17. Further, seeing the peculiar circumstances of the case, 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 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.
18. With regard to the remarks in the khatoni paimish, the petitioners are given liberty to approach the Consolidation Officer for seeking clarification about the significance/meaning of the remarks. The CO would issue requisite clarification within 15 days on receipt of the request.
19. File be consigned to record room after completion.



(PRASHANT GOYAL)
Financial Commissioner
Delhi

Gaon Sabha Fatehpur Beri Vs. Director Mrs. Tajmeet Kaur, M/s TPJ (P) Ltd.

06.01.2026

Present : Shri Sumit Goyal, Counsel for Petitioner.
: Shri Atha Sagar Verma, Counsel for Respondent.

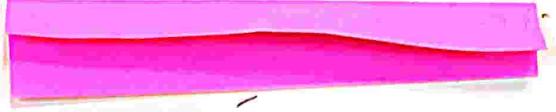
1. The present application has been filed by the Counsel for Petitioner under Section 151 of Code of Civil Procedure, 1908 for restoration of revision petition no.193/2025 which was dismissed for non-pursuance by this Court vide order dated 12.11.2025.
2. Heard the Counsel for Petitioner and the case is restored.
3. Brief facts of the case are that the Gaon Sabha filed revision petition under Section 187 of the Delhi Land Reforms Act, 1954 against order dated 30.09.2024 passed by the Collector (South) whereby order dated 28.09.2021 passed by the SDM/RA dropping the proceedings under Section 81 of the DLR Act in respect of khasra no.1565 min (2-10), 2237/1536 min (1-10) and 2238/1536 min (3-4) was upheld. It is the contention of the petitioner that despite agricultural land being used for non-agricultural purposes with unauthorized construction and admission of the respondent that a dwelling unit exist on the land, the SDM wrongly dropped the proceedings under Section 81 which is mechanically upheld by the Collector.
4. From the facts of the case, it is noted that the land involved in the present case falls under Village Fatehpur Beri. 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 Fatehpur Beri figures in the annexure of aforesaid notification dated 18.06.2013 and was declared Low Density Residential Area.

5. The Hon'ble High Court vide several judgments have laid down the law with regard to applicability of provisions of revenue laws on the land which has either been declared urbanised under the Delhi Municipal Corporation Act, 1957 or under the Delhi Development Act, 1957. The relevant judgments are WP(C) No.3502/2022 titled ***Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.*** dated 10.04.2023, WP (C) No.7159/2023 titled "***Sweta Agarwal and Anr. Vs. Govt. of NCT & Anr.***" dated 25.05.2023, WP(C) No.10270/2015 titled ***M/s Mahajan Industriesl Pvt. Ltd. Vs. Gaon Sabha Chattarpur*** dated 04.01.2023, WP(C) No.12038/2019 titled ***Sushma Kapoor Vs. Government of NCT of Delhi & Anr.*** dated 30.11.2021 and WP(C) No.3421/2023 titled ***Jitender Vs. Government of NCT of Delhi & Ors.*** dated 20.12.2023.
6. In the light of the clear law laid down by the Hon'ble High Court, it is observed that the revenue courts including this Court have no jurisdiction to enter into such matters where the provisions of Delhi Land Reforms Act cease to apply post declaration of the village as LDRA under Delhi Development Act.
7. Accordingly, the revision petition no. 221/2025 titled "***Gaon Sabha Fatehpur Beri Vs. Director Mrs. Tajmeet Kaur, M/s TPJ (P) Ltd.***" is dismissed.
8. Further, seeing the peculiar circumstances of the case, 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 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.

9. File be consigned to record room after completion.



(PRASHANT GOYAL)
Financial Commissioner
Delhi

**Shri Rai Singh
Vs.
District Magistrate (N) & Ors.**

06.01.2026

Present : Shri Adamya Pal Singh, Counsel for Petitioner.
: None for Respondents.

1. Counsel for Petitioner stated that Shri Jag Ram filed for bhumidari rights over 6 bighas 8 biswas in Khasra Nos. 1/16/1 (4-4) and 1/16/2 (2-4), Village Bawana, Delhi, under Section 85 of DLR Act, 1954 (Case 6/RA/76). After his death, son Maha Singh continued; trial court dismissed for lack of locus (19.07.1976), but Additional Collector concerned set aside the same dated 18.09.1977 and allowed Maha Singh as bhumidari. In 2001, Raje Ram & R-3 appealed before DM (N) (26/DC/NW/2001) challenging bhumidari rights of Maha Singh after 20 years.
2. Petitioner further submitted that revisionist Rai Singh separately won bhumidari on possession (19.06.2009, Case 1237/RA/N/2007); Raje Ram & R-3 appealed before DM (N) (Appeal 278/DC/NW/2009). Both Appeals are tagged and pending before Deputy Commissioner (N) and the said Village Bawana was urbanized on 16.05.2017.
3. The Petitioner further pleaded that the said village Bawana stands covered by the urbanization notification dt. 16.05.2017. Thereafter, the revenue authorities cease to have jurisdiction in wake of judgment from the Hon'ble Apex Court.
4. None appeared for Respondents to counter the arguments made by the Counsel for Petitioner.

5. Accordingly, the case is remanded back to the District Magistrate (N) with the direction to hear the petitioner and pass a speaking order preferably within next three months after taking into account that the village was urbanized on 16.05.2017. He may keep in view of the judgement 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***" in this context.
6. The revision petition bearing no. 224/2025 titled ***Shri Rai Singh Vs. District Magistrate (North) & Ors.*** is disposed of in terms of above.
7. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi