

Naveen Kumar Jain
Vs.
Adesh Jain

12.01.2026

Present : Shri Vasu V. Purohit, Counsel for Appellant.
: Shri Anuj Jain, Counsel for Respondent.

1. Counsel for Appellant contended that respondent claimed appellant's total income exceeds ₹4 lakhs/month before the Competent Authority. Burden of proof lies on the asserting party under Section 101, Indian Evidence Act and Section 104, Bhartiya Sakshya Adhinyam. Appellant, aged 80, earns little from a small camera accessories business and he cannot afford alternate shop, and eviction which forced slum-like living.
2. Counsel for Appellant contended by citing the judgment of the Hon'ble High Court Case no.103/1971 titled **Smt. Raj Rani Vs. Amarnath & Ors.** by referring Para (5) specially "a tenant is required to spend at the rate of 35 paise per square feet per month to secure alternative accommodation in non slum areas and he is not expected to spend more than 10 to 12% of his earning towards accommodation" and further contended by citing **Rattan Chand vs. Ujagar Singh** (Delhi High Court, 20.01.1987) holding that Competent Authority must find appellant's approximate funds for alternate accommodation.
3. Counsel for Appellant further contended that the Appellant has no house or other property in Dwarka rather he stays in house of his daughter/son-in-law in Dwarka.
4. Counsel for Respondent contended that it transpired that the appellant apart from his income from business also has family income coming from his sons who are earning. Counsel for Respondent further contended that the details of income should be given by the Appellant but in view of High Court's Order quoted by the Appellant, he has no

problem to matter being remanded to Competent Authority.

5. On query of this court as to why he did not furnish the details of monthly income of his family, property details and income of his son, the Counsel for Appellant submitted that the Appellant earns appx. Rs.47,000/- p.a.
6. Keeping in view of the above averments, the matter is remanded back to the Competent Authority (DUSIB) to hear both the sides and pass a speaking and reasoned order. Hence, both the parties are directed to appear before the Competent Authority to present their case.
7. Accordingly, the appeal bearing no. 200/2025 titled ***Naveen Kumar Jain Vs. Adesh Jain*** is disposed of in terms of above.
8. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 219 of 2025

12.01.2026

Present : Shri Aakash Parashar, Counsel for Petitioner.
: Shri Raman Garg, Consolidation Officer for Respondent.

1. Counsel for Petitioner contended that Petitioner has filed present revision under Section 42 of East Punjab Holdings (Consolidation & Prevention of Fragmentation) Act, 1948, against C.O.'s order dated 29.07.2016. Claims co-sharer status in Khasra Nos. 86/6/2, 86/7/2, 86/14/2, 86/15, 90/15/2, and 90/14/2 of Village Issapur (agricultural land). He further alleged that no approach road provided during 1974-75 consolidation, hindering farm equipment access. The C.O. vide Order dated 29.07.2016 rejected the application of Petitioner mentioning that the Consolidation Officer has become "functus officio" as the consolidation record of the village had been consigned to the record room after completion and only the Hon'ble Financial Commissioner is competent in such a matter.
2. Thereafter, Petitioner approached this Court by filing the revision petition no. 96/2017. The Hon'ble FC vide order dated 20.09.2018 allowed the said revision petition and directed the C.O. to hear Petitioner and consider the request for providing approach road to their "Chak".
3. Counsel for Petitioner filed the present contempt petition u/s 12 of contempt of Court Act r/w Section 151 CPC arising out of order dated 20.09.2018 passed by this Court and prayed for compliance of the same.
4. Respondent, C.O. appeared in person and submitted that he is newly engaged on the post of Tehsildar

and needs clarification on his powers pursuant to LDRA notification.

5. Keeping in view of the above averments, the case is remanded back to the Consolidation Officer concerned through District Magistrate concerned with the direction to hear both the sides and pass a speaking order, preferably in next 3 months, in terms of 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.*** as the said village Issapur is covered under LDRA notification dated 18.06.2013.
6. Accordingly, the present contempt petition bearing no. 219/2025 titled Shri Joginder Vs. Consolidation Officer, Issapur is disposed of in term of the above.
7. \ File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 225 of 2025

12.01.2026

Present : Shri Rupesh Kumar Sinha, Counsel for Petitioner.
: Shri Sandeep Verma, Counsel for LR's of R-1 & R-2.
(FILED VAKALATNAMA)

1. The revision petition no. 284/2012 filed by the Petitioners was dismissed vide order dated 09.03.2018 for want of prosecution by the predecessor Financial Commissioner. Thereafter, Petitioners filed application in revision petition no. 109/2018 before this Court for recalling the order dated 09.03.2018 which was also dismissed vide order dated 29.05.2018.
2. Petitioners filed WP(C) No.9129/2018 seeking quashing of orders dated 09.03.2018 & 29.05.2018 and the Hon'ble High Court of Delhi vide order dated 05.12.2025 had set aside the above said impugned orders and the matter was remitted to the Revisional Authority to decide the revision on merits expeditiously. Hence, the present case is filed.
3. Brief facts of the case are that the petitioners are the lawful owners of land bearing Khasra Nos. 620 (3.12 bighas) and 627 (4.16 bighas) in Village Ghitorni, allotted to their predecessors by the Gram Sabha in 1968 in exchange for land acquired for a school. Their ownership and possession have always stood recorded in revenue records. In 1986 one Mohar Singh, in collusion with revenue officials, illegally got his name mutated and filed a false partition suit, obtaining an ex-parte status quo order which remained in force for nearly 18 years. Upon intervention of the Hon'ble High Court, the Revenue Assistant dismissed the suit holding that the

respondents had no right, title or interest in the petitioners' land.

4. Counsel for Petitioners further contended that despite dismissal, the respondents misused ambiguous revenue orders to sustain illegal and void entries in revenue records and attempted dispossession through demarcation proceedings. The impugned order failed to give clear findings or direct correction of revenue records, enabling continued abuse. The respondents' claims are based on fraud, void transactions barred under Sections 33 and 45 of the Delhi Land Reforms Act, 1954, including reliance on a forged sale deed. Therefore, the petitioners seek intervention of this Hon'ble Court for clarification, correction of revenue records, and protection of their lawful possession, including reference under Section 186 of the DLR Act, if required.
5. Counsel for Respondents contended that the matter is being intentionally delayed by the Petitioner and two parallel remedies are being availed by them by way of filing a civil suit and another by keeping the revision in the present case pending.
6. Counsel for Respondents informed that R-1 & R-2 had since expired. Counsel for Petitioners also stated that some of the Petitioners have expired and undertook to bring the LRs of the deceased of both sides on record.
7. Adj. to 19.01.2026 for further arguments.



**Financial Commissioner
Delhi**

Case No. 228 of 2025

12.01.2026

Present : None for Petitioner,
: None for Respondent, C.O.

1. None of the parties appeared today.
2. Final opportunity is given to both the sides to appear and lead the case adequately on the next date of hearing.
3. Issue notices to both the sides for the same.
4. Adj. to 19.01.2026.



**Financial Commissioner
Delhi**

Case No. 226 of 2025

**Kulwant Rana
Vs.
Consolidation Officer (Khera Kalan) & Ors.**

12.01.2026

Present : Shri Girish Sharma, Counsel for Petitioner.
: None for Respondent.

1. The present revision petition has been filed under Section 42 read with Section 43-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against the delay in passing orders in separating the khewat of the petitioner's father, one of the joint Khatedar of the holdings in Khata no.248/2/1.
2. Brief facts of the case are that the petitioner is the son and legal heir of Late Shri Kanwar Singh, who was one of six co-sharers/right-holders (haqdars) of agricultural/ industrial land situated in Village Khera Kalan. The land was subjected to consolidation proceedings under the Act. All six brothers, including the petitioner's father, jointly applied for separation of their respective khatas/khewats in accordance with the consolidation scheme and with mutual consent. Despite a specific order dated 28.02.2014 passed by the Consolidation Officer directing division of holdings, only one co-sharer/Khatedar, Ajit Singh was granted separate khata and separate khewat No.248/2/2, while the case of remaining five co-sharers including the petitioner's father remained pending. This selective implementation of the order dated 28.02.20214 is a violation of Section 21 of the Act.
3. The petitioner's father repeatedly approached the Consolidation Officer and Settlement Officer by way of appeals/representations under Section 21(2) of the Act in the years 2014 and 2017 followed by further representation by the petitioner in 2020. However, neither any hearing was conducted nor any order was passed on these applications, resulting in inordinate delay and miscarriage of justice.

4. It is further alleged that during the partial separation, one biswa of land from the industrial plot was illegally deducted without granting opportunity or following due process to the petitioner's father and no mutation, demarcation and delivery of possession in respect of the petitioner's lawful share have been carried out till date which resulted in continued deprivation of rightful possession. The petitioner further contended that the acts and omissions of the respondents are illegal, arbitrary, and violative of the provisions of the Act. Therefore, the petitioner prayed for intervention of this Court for timely disposal in respect of separation of khewat, delivery of possession to him. The petitioner also prayed for inquiry against erring officials and compensation for prolonged harassment and delay.

5. The Petitioner relied on the judgements dated 08.01.2026 in W.P. (C) No.4876/2023 titled "**Manoj Kumar and Ors. Vs. Consolidation Officer (Narela)/Tehsildar**" and W.P. (C) No.16505/2023 & CM Appl. 66481/2023 titled "**Shri Rajesh Kumar Vs. Govt. of NCT of Delhi & Ors.**" in support of his contention. In the case of **Manoj Kumar and Ors. Vs. Consolidation Officer (Narela)/Tehsildar**, the Hon'ble High Court has held that –

"2.....He submits that by notification dated 5th March, 2021, issued under Section 507 of the Delhi Municipal Corporation Act, 1957, Village Naya Bans @ Iradat Nagar, where the subject land is situated, stands urbanised. Consequently, the revenue authorities have ceased to have jurisdiction in respect of the subject land under the Delhi Land Reforms Act, 1954, in view of the judgment of the Supreme Court in Mohinder Singh (Dead) Through LRs and Another vs. Narain Singh and Others.

3. Mr. Abhimanyu, counsel for the Petitioner, contends that the urbanisation of the village would not disentitle the Consolidation Officer, acting under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, from entertaining and deciding the representations made by the Petitioner, which this Court may direct to be considered.

4. In view of the above submissions, the present petition is disposed of with a direction to the

Respondent/Consolidation Officer, Village Naya Bans, or any other appropriate authority, to consider the representations pending before him in respect of the subject land and to decide the same within a period of eight weeks, after affording an opportunity of hearing to the Petitioner, in accordance with law. The decision shall be communicated to the Petitioner under written intimation."

5. It is noted that the said village 'Khera Kalan' stands urbanised on 20.11.2019 and the revenue authorities cease to have jurisdiction under DLR Act, 1954 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. In the light of judgement of Hon'ble High Court in case **"Manoj Kumar and Ors. Vs. Consolidation Officer (Narela)/Tehsildar"**, the ends of justice would be served by issuing necessary directions to the Consolidation Officer, Khera Kalan to take suitable decision in accordance with law on the pending representations of the petitioner/his predecessor preferably within next three months. Accordingly, revision petition bearing No. 226/2025 titled **Kulwant Rana Vs. Consolidation Officer, Khera Kalan & Ors.** is disposed of.
8. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 229 of 2025

12.01.2026

Present : Shri Ashish Passi, Counsel for Petitioner.
: Shri Neeraj Kumar, Proxy Counsel for Respondent,
DGHS.

1. Proxy Counsel for Respondent, DGHS sought adjournment as the BTF for appointing new counsel is under process. The request of Proxy Counsel is allowed and no further adjournment shall be allowed in a sensitive matter where an allegedly violating Nursing Home is allowed to run operations. Respondent is directed to file reply before the next date of hearing.
2. Counsel for Petitioner is also directed to come prepared to present and argue the case on the next date of hearing. The respondents should also come ready to defend themselves.
3. Adj. to 19.01.2026



**Financial Commissioner
Delhi**

Case No.146 of 2025

12.01.2026

Present : Shri Kameshwar Mishra, Counsel for Appellant.
: Shri Pradeep Kumar, Counsel for R-1.
: Shri Irshad Khan, Associate Counsel for R-2.

1. The Counsel for Appellant contended that:
 - a. Sh. Ram Kishan R/o Village Mukandpur, Delhi-110042 was having land in Khasra No.315/214 (4-8), 213 (17-13), 318/21, 216 (0-14) situated in Village Mukandpur, Delhi. Sh. Ram Kishan died leaving behind three sons as his legal heirs i.e. Sh. Ramphal, Sh. San Singh and Sh. Attar Singh.
 - b. The above three sons executed a registered sale deed on 12.01.1989 in favour of their wives namely Smt. Maya Devi W/o Sh. Ramphal (Appellant herein), Smt. Bimla Devi W/o Sh. San Singh and Smt. Lalita Devi W/o Sh. Attar Singh (R-1 herein). R-1 and her husband Late Sh. Attar Singh sold their entire 1/3rd share to third parties out of total holding of 22 Bighas 15 Biswas. As the land sold by R-1 and her husband was more than 1/3rd share in total holding hence she was not entitled to share in Khasra No.213 and a family settlement was arrived in this respect.
 - c. Thereafter, R-1 filed a suit for Partition under section 55 of the Delhi Land Reform Act, 1954 before the SDM/RA. The said suit is still pending.
 - d. R-1 herein also filed a suit under Section 36 of the Delhi Land Reforms Act, 1954 on 04.07.2006 bearing suit No. 360/RA/2006 titled as "Smt. Lalita Devi Vs. Smt. Maya & Anr." and sought the relief that "she may be permitted to let out her share in the holding i.e. 1/3rd share of agricultural land measuring 13 Bigha comprised in Khasra No.213 alongwith partition.
 - e. Thereafter, R-1 also filed a civil suit bearing no. CS/324/2018 titled as "Lalita Devi vs. Maya Devi & Ors." on 19.03.2018. Admittedly, R-1 herein sold her share to one Sh. Madan Pal Gupta/R-2 on 21.08.2018 and withdrew the said suit vide order dated 29.08.2018 passed by the Civil Court.
 - f. Thereafter, R-2 filed a civil suit before the Civil Court against Appellant herein. The Civil Court, Rohini vide order dated 12.02.2019 directed the Defendant No.1 (Appellant herein) and other defendants therein not to do any illegal construction or create any third-party interest over the suit property.

- g. The RA/SDM vide order dated 12.03.2021 allowed the suit of land and granted liberty to R-1 to let out her 1/3rd share of land out of 13 Bighas i.e. 4-7 Bighas.
- h. Against the order dated 12.03.2021 passed by RA/SDM, the Appellant filed appeal before the Deputy. In the meanwhile, the RA/SDM vide order dated 29.04.2022 allowed the execution petition of Decree Holder (R-1 herein) and dismissed all the objections raised by Judgment Debtor (Appellant herein).
- i. In the meanwhile, Appellant herein filed a Writ Petition(C)-6969/2022 before the Hon'ble High Court against the order dated 29.04.2022 passed by RA/SDM, the Hon'ble High Court vide order dated 04.05.2022 held that "*...the appeal against the order dated 12.03.2021 of which execution is being sought by the respondent No.2 is still pending before the District Magistrate, till the disposal of the appeal before the District Magistrate (Central) against the order dated 12.03.2021 in No.F/SDM/CL/2021/893-96 (Annexure P-2), the execution thereof is stayed.*".
- j. The Deputy Commissioner vide order dated 26.09.2023 dismissed the appeal filed by appellant.
- k. Thereafter, Appellant herein filed present second appeal on 22.11.2023 before this Court. However, as the Predecessor Financial Commissioner, Delhi was on leave, the appellant approached the Hon'ble High Court in Writ Petition No.15300/2023 titled "Maya Devi Vs. State (NCT of Delhi) & Ors.". The Hon'ble Court vide order dated 09.04.2024 stayed the operation of three impugned orders dated 12.03.2021 & 29.04.2022 passed by RA/SDM and order dated 26.09.2023 passed by Deputy Commissioner as well as proceedings under present appeal on the ground of urbanization.
- l. However, the said order dated 09.04.2024 passed by Hon'ble High Court was set aside by the Double Bench of the Hon'ble High Court of Delhi vide order dated 10.12.2024 passed in LPA No.896/2024 and the matter was remanded back to single judge.
- m. The Single Judge of the Hon'ble High Court of Delhi vide order dated 19.05.2025 passed in WP(C) No.15300/2023 titled "Maya Devi Vs. State (NCT of Delhi) & Anr.", directed the appellant to approach the Financial Commissioner.
- n. The appellant has earlier filed appeal bearing No.311/2023 before this Court. However, the same was dismissed for non-prosecution

on 26.04.2024. Thereafter, the appellant filed present restoration application bearing No.146/2025 before this court which was allowed by this court on 18.09.2025.


2. In the meanwhile, the appellant again received a notice from the office of RA/SDM in respect of a petition filed by the R-1 under section 147 of the Code of Criminal Procedure, 1973. Vide order dated 29.07.2025, the RA/SDM treated the said application as execution and again ordered for compliance of order dated 29.04.2022. On 08.09.2025, the Appellant assailed the said order before District & Session Court, which initially stayed the said order dated 29.07.2025. Further on 24.11.2025, Additional Session Judge, North remanded back the same after setting aside the order passed by RA/SDM. Thereafter, on 17.12.2025, R-1 withdrew her application filed under section 147 of the Code of Criminal Procedure, 1973. However, the R-1 & R-2 pressed their application filed for the compliance of order dated 29.04.2022 and 26.09.2023. The arguments on the application were heard and RA/SDM vide order dated 24.12.2025 allowed the applications of R-1 & R-2. Hence, the present appeal.

3. Counsel for petitioner further raised the issue of contempt of the Hon'ble High Court order dated 19.05.2025 as Counsel for R-2 himself submitted that execution proceedings will not be proceeded with, until the learned Financial Commissioner has passed an order on the question of interim relief. Petitioner further referred Para 4, 5 & 6 of the judgement dated 19.05.2025 passed by the Hon'ble High Court of Delhi wherein it was held that-

"4. While seeking permission to withdraw the writ petition, without prejudice to the petitioner's rights and contentions before the learned Financial Commissioner, however, Mr. Kameshwer Mishra, learned counsel for the petitioner, submits that execution proceedings are in progress in terms of the impugned order of the SDM.

5. The question of interim orders is the matter for learned Financial Commissioner to consider in the pending appeal. However, the learned Financial Commissioner is requested to consider the interim relief as expeditiously as possible and, in any event, within eight weeks from today.

6. Mr. Rahul Jaryal, learned counsel for respondent No. 2, states that the execution proceedings will not be proceeded with, until the learned Financial Commissioner has passed an order on the question of interim relief."

4. In rebuttal, Counsel for R-1 referred Para No. 5 of the order of Hon'ble High Court of Delhi dated 19.05.2025 wherein it was held that interim relief application may be heard as expeditiously as possible and, in any event, within eight weeks from 19.05.2025. In the meantime, second appeal filed by petitioner were dismissed for non-pursuance on 26.04.2024 by the predecessor Financial Commissioner. In view of this, Counsel for R-1 submitted that contempt case is not applicable. Further, Counsel for R-1 accepted that possession of the suit property taken over by R-2.
5. The Associate Counsel for R-2 submitted that the main Counsel is unable to attend the court due to hospitalization of his wife and filed the copy of the same.
6. Keeping in view of the above averments, if R1/ R2 went back on commitment made before High Court of Delhi to not pursue with execution proceedings, contempt will lie before Hon'ble High Court only. Further, in view of the Hon'ble Supreme Court vide judgment dated 14.03.2023 in Civil Appeal No. 3828/2017 titled as "**Mohinder Singh (Dead) Through LRs. & Another Vs Narain Singh & Others**" this Court has no apparent jurisdiction post-urbanization of village Mukundpur and a decision can't be made unless double bench of High Court of Delhi decides on arising issue from Mohinder Singh V/s Shabnam Gupta Case and the matter is adjourned in terms of the above.
7. Matter adj. to 16.02.2025 for further arguments. 

**Financial Commissioner
Delhi**