

03.02.2026

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

1. Counsel for Petitioner filed an application under Section 151 of the Code of Civil Procedure, 1908 for restoration of the revision petition no. 362/2024 which was dismissed on 03.12.2025. Restoration is allowed.
2. Counsel for Petitioner contended that the Petitioner is a permanent resident of Village Paprawat and the successor-in-interest of land comprised in Khasra No. 5/13/2 (0-10). This land was originally allotted to the Petitioner's late husband and his brother in equal shares during consolidation proceedings conducted between 1974 and 1982 under the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. Upon the conclusion of repartition under Section 21(1) and the consignment of records in 1982, the allotment attained finality. Consequently, the Consolidation Officer became functus officio, and the Petitioner was placed in actual physical possession under Section 23 of the Act, subsequently securing the property with a boundary wall.
3. Counsel for Petitioner further contended that despite the finality of the proceedings, an order was passed on 06.03.1984 by the C.O. two years after the consignment of records wherein the Consolidation Officer allegedly invoked Section 43A to withdraw an area of 5 Biswas from the Petitioner's settled allotment. This action was taken without any formal objection from the Gaon Sabha or any individual, and without notice to the Petitioner. The existence of this deduction only came to the Petitioner's knowledge in 2001. There is however no such order to withdraw a part of Petitioner's land. The deduction has been done merely on an entry in revenue record and the same is without any basis. Although, the

then Financial Commissioner vide order dated 21.08.2015 (203/2001) dismissed the case. Thereafter, the Hon'ble Delhi High Court vide order dated 02.09.2016 in W.P. (C) No. 11530/2015 set aside the dismissal and remanded the matter to the C.O. for a fresh decision on merits.

4. Counsel for Petitioner further contended that following a prolonged period of administrative stagnation, the Petitioner was forced to approach the Hon'ble High Court again in 2022 and subsequently file a Contempt Petition in 2023 to compel the authorities to comply with the remand directions. In response, the Respondent, C.O. issued the Impugned Order dated 18.04.2024 by dismissing the Petitioner's claim and upheld the withdrawal of land on the sole, paradoxical ground that the relevant records are "not traceable" and were never consigned to the record room. Hence, Counsel for Petitioner challenged order dated 18.04.2024 passed by the C.O. as being legally unsustainable, as the Respondent, C.O. has effectively validated a deprivation of property rights based on a non-existent record and a failure of administrative accountability.
5. None appeared for the Respondent, C.O. despite notice. Issue notice again to the C.O. through the Deputy Commissioner concerned to appear and lead the case on the next date of hearing.
6. Adj. to 17.02.2026 for arguments.

  
**Financial Commissioner  
Delhi**

**Case No. 02 of 2026**

03.03.2026

Present : Shri Lakshay Suhag, Proxy Counsel for Petitioner.  
: Shri Ajeet Kumar, Proxy Counsel for R-1, C.O.  
: Shri Vishveshwar Mishra, Counsel for Applicant (1/10).

1. Proxy Counsel for Petitioner requested for adjournment as the main counsel is not available and he is in no position to even bring out the facts. Request is allowed with a cost of Rs.5000/- on the Petitioner to be paid in the account of DDO, GAD, GNCTD before the next date of hearing.
2. Proxy Counsel for C.O./R-1 requested for adjournment as the jurisdiction has changed from SDM (Alipur) to SDM (Narela). Request is allowed as a final opportunity to appear and come prepared on the next date of hearing.
3. Counsel for Applicant moved an application dt. 03.02.2026 to implead the legal heirs of the late Shri Ram Saroop to ensure that the interest of justice is served and to prevent any orders from being passed behind the back of the rightful claimants. The Applicants are necessary and proper parties to the litigation, and their inclusion is sought bona fide to assist the Court in resolving the matter on its merits and to avoid a multiplicity of future legal proceedings. Counsel for Applicant requested to allow the application and give direction to the Petitioner to supply a copy of petition and make them necessary party in this Case.
4. In view of the above, application for impleading LRs of the Late Ram Swaroop is to be supplied to the Petitioner and the same is to be decided on the next date of hearing.
5. Adj. to 17.02.2026 arguments by Petitioner and Respondents.

  
**Financial Commissioner  
Delhi**



**Surat Singh Bath (Deceased) through LR –Smt.Manjit Kaur  
Gosal  
Vs.  
Consolidation Officer (North/Alipur) & Ors.**

03.02.2026

Present : Mr.Rizwal, Counsel for Petitioner.  
: Mr. S.S. Rana, Counsel for R-4.

1. The present petition has been filed under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 seeking quashing/setting aside the order dated 11.09.2020 & 21.09.2023 passed by RA/SDM (Alipur) and Deputy Commissioner (North) respectively.
2. The Counsel for Petitioner pleaded that the Petitioner is legal heir of Surat Singh Bath and in possession of Khasra No.42/24 Min.(1-18) situated at village Khera Kalan, Delhi. Further, the allotment of land was carried out by C.O. vide resolution No.59 dated 24.07.2002 whereby 2 biswas of land was withdrawn out of Kh.No.42/24 Min. and the remaining land i.e. 1 bigha 16 biswa out of Kh.No.42/24 Min. was withdrawn vide resolution No.105 dated 08.04.2005.
3. The Counsel further contended that the Petitioner was allotted land in Khasra No.83/1 min.(1-16) belonging to Jaswant Singh Rana (R-4 herein) in lieu of land withdrawn from him without serving any notice by revenue authority. Subsequently, the Petitioner being aggrieved by these resolutions filed appeal under Section 21(3) of East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 before the Settlement Officer (SO). Thereafter, the matter was reserved for orders by the S.O. on 27.01.2014 but no order was passed.
4. Aggrieved by the delay in passing the order, the Petitioner was constrained to file Petition bearing No.180/2014 before this Court. The predecessor Financial Commissioner vide order dated 10.10.2014 remanded the case to the S.O. with the direction to dispose of the matter within six months. Since no order was passed by SDM/SO for a long time, the Petitioner filed WPC No.11751/2016 titled **Surat Singh Vs. the**

**Consolidation Officer** and the same was dismissed as withdrawn by the Hon'ble High Court vide order dated 28.08.2017. Thereafter, the petition as well as application for condonation of delay filed by the Petitioner before the RA/SDM was also dismissed vide order dated 11.09.2020.

5. Aggrieved by the order dated 11.09.2020, the Petitioner filed second appeal before the Deputy Commissioner. In the meanwhile, due to inordinate delay in disposing the matter by revenue authority, the Petitioner filed another WPC No.10654/2022 before the Hon'ble High Court of Delhi. The Hon'ble High Court vide order dated 15.07.2022 directed the Appellate Authority to decide the matter within three months. Despite directions of the Hon'ble High Court, the Deputy Commissioner failed to pass any order. Consequently, the Petitioner filed contempt petition No.28/2023 before the Hon'ble High Court. The Hon'ble High Court vide order dated 24.05.2023 directed the concerned District Magistrate to dispose of the matter within a period of 15 days. Consequently, the District Magistrate (North) passed order dated 21.09.2023 dismissing the appeal of the Petitioner herein being devoid of merits.
6. Owing to grave injustice meted out, the Petitioner filed WPC No.132/2025 before the Hon'ble High Court of Delhi under Article 226 of the Constitution against order dated 11.09.2020 passed by RA/SDM and order dated 21.09.2023 passed by Deputy Commissioner. The Hon'ble High Court vide order dated 08.01.2025 granted opportunity to the Petitioner to approach the Financial Commissioner and the Financial Commissioner was requested to dispose of the matter at the earliest. Accordingly, the present petition has been filed.
7. The Counsel for Petitioner further submitted that the land of Petitioner was deducted in lieu of which land was allotted in the inner side of village where the value of the land is less than the value of the land which was situated on the GT Karnal Road. The Counsel for Petitioner also submitted that in the orders dated 11.09.2020 and 21.09.2023 passed by SDM (Alipur) and

DC/AD (Consolidation) respectively, there is no mention of any justification to adjudicate the value of the land.

8. In rebuttal, the Counsel for R-4 submitted that the value of land was assessed on the basis of the composite holdings of the village and the report as well as comments submitted by the Consolidation Officer before the Deputy Commissioner. He further raised the issue of maintainability of the case as the Petitioner has already availed the opportunity under Section 21 (4) of Consolidation Act.
9. Keeping in view the submissions of the parties, and upon perusal of the impugned orders dated 11.09.2020 and 21.09.2023 passed by the SDM (Alipur) and the Deputy Commission/Assistant Director (Consolidation), this Court is of the considered view that the matter of land valuation requires a speaking order which must clearly indicate as to how and on what basis, the valuation of the said land has been assessed. Presuming, that the land was indeed of equal value, is the Revenue Authority competent to inter change land holdings of two persons without their consent. In the light of the above, the case is remanded to the Deputy Commissioner (North) to take action as above after affording adequate opportunity of hearing to all the parties and to clearly bring out the reasons for allotting the land by a reasoned and speaking order preferably within 90 days from the date of this order.
10. Accordingly, revision petition bearing No.20/2025 titled **Surat Singh Bath (Deceased) through LR –Smt.Manjit Kaur Gosal Vs. Consolidation Officer (North/Alipur) & Ors.** is disposed of in terms of above.
11. File be consigned to record room after completion.

  
(PRASHANT GOYAL)  
Financial Commissioner  
Delhi



**Suraj Bhan  
Vs.  
Deputy Collector & Ors.**

03.02.2026

Present : Shri Sunil Chauhan, Counsel for Petitioner.  
: None for Respondents.

1. The Hon'ble High Court of Delhi vide order dated 19.11.2025 remanded to this Court to re-adjudicate the matter. The relevant extract is reproduced as under:

*'.....4. The said issue is pending before the Larger Bench of this Court. Considering that the main bone of contention is sub-judice before the Larger Bench of this Court, the impugned order passed by the revisional authority is set-aside and the matter is remitted back to decide it expeditiously afresh after the decision by the Larger Bench of this court and by giving opportunity of hearing to the parties.....'*

2. The attention of this court has been brought to the case pending before a Larger Bench of the Hon'ble High Court bearing Case No. O.REF.1/2024 titled **Court on its own motion Vs NEMO** with regard to the matter of applicability of provisions of DLR Act post urbanization of village in light of judgment of Hon'ble Supreme Court in Mohin Singh case. The case is listed before the Hon'ble High Court for hearing on 13.02.2026. The Hon'ble High Court vide order dated 19.11.2025 in WP (C) No. 8856/2022 titled **Suraj Bhan Vs Financial Commissioner & Ors.** has already directed the Financial Commissioner to await the legal clarity before deciding the matter. Therefore, it would be correct that the present revision petition is heard after the receipt of outcome of the case before the Hon'ble High Court.
3. Consequently, the parties are directed to approach this court for date appropriately, if need be, once the Hon'ble High Court takes a view in the matter.
4. The case is consequently adjourned sine-die, till the decision of the Hon'ble High Court.

  
**(PRASHANT GOYAL)**  
Financial Commissioner,  
Delhi