

Case no.	Titled
26/2026	Deepak & Ors.Vs. Tehsildar, Kanganheri & Ors.
27/2026	Deepak & Ors.Vs. Tehsildar, Jhatikra & Ors.

16.03.2026

Present : Shri Sri Om, Counsel for Petitioner(s) in both cases.

: Shri Kumesh, R-3 in person in both cases.

1. Counsel for Petitioner(s) primarily contended that the impugned mutation orders dated 23.12.2025 passed by Tehsildar (Kanganheri) in case no. 26/2026 and Tehsildar (Jhatikra) in case no. 27/2026 are legally unsustainable, arbitrary, and void, as they were passed by an authority entirely lacking jurisdiction. The crux of this challenge rests on the fact that the subject land, admeasuring 30 Bigha 17 Biswa (in case no. 26/2026) and 31 Bigha 4 Biswa (in case no. 27/2026) across various Khasra numbers in Village Kangan Heri and Jhatikra respectively, have been covered under LDRA notification dated 18.06.2013 which removes the property from the definition of "land" as governed by the DLR Act, 1954. Consequently, the Revenue Assistant (R-1) had no statutory authority to invoke the provisions of the DLR Act or initiate any proceedings thereunder.
2. Counsel for Petitioner(s) further citing the legal doctrine established in the Supreme Court case of **Mohinder Singh vs. Narain Singh**, the Counsel emphasized that revenue courts are functus officio once an area is urbanized. Counsel for Petitioner(s) prayed that Court quash and set aside the impugned orders and grant relief in the interest of justice.

3. R-3 appeared in person and submitted that the mutation was originally granted in his favour and the Petitioner herein is repeatedly harassing them by bringing the same issue to court. R-3 further noted a procedural discrepancy, stating that while the Petitioner sent a notice claiming a petition was enclosed, no actual petition was provided to him. He submitted that the Petition lacks jurisdiction as the said village is notified and also covered under the LDRA notification and if the Petitioner has a grievance, they should approach a Civil Court rather than the revenue authorities.
4. In view of the above submissions, this Court questioned why the Petitioner had approached the FC Court if revenue courts lack jurisdiction. He was also not able to respond to the fact that if any aspect needs to be looked into by revenue authorities, why an appeal was not preferred to DM, especially so since legal aspect are inextricably linked to factual situation on ground. In rebuttal, Counsel for Petitioner(s) submitted that this is for the higher authority to decide the matter.
5. Consequently, the revision petitions bearing no. 26/2026 and 27/2026 are disposed of with liberty to the parties to approach the revenue authorities if they believe a revenue jurisdiction still applies or to the appropriate civil forum in case the revenue authorities lack jurisdiction.
6. Files be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 33 of 2026

**Kamal Singh (D) through LRs
Vs.
Gaon Sabha, Nasirpur & Ors.**

16.03.2026

Present : Shri Vinay Kumar Pathak, Counsel for LRs of
Petitioner(s).
: None for Respondents.

1. Counsel for Petitioner filed this revision petition under Section 187 of DLR Act, 1954 against the impugned order dated 30.01.2026 passed by the RA/SDM, Dwarka (District South-West).
2. Counsel for Petitioner(s) contended that the case is rooted in the 1974 allotment of land i.e. 4 bigha 4 biswas in Khasra No. 393 (4-16), Village Nasirpur, under the Central Government's 20-Point Programme which was a poverty alleviation program. Since the original allotment to the Petitioner's late father, the family has remained in continuous, settled possession, investing substantial effort to reclaim the barren land for agricultural use. After Cabinet decisions No. 1891 dated 20.05.2012 regarding regularization of land under 20-point program, Petitioners filed Petition u/s 74(4) of DLR Act to declare Bhumidars of said land before RA/SDM (Dwarka) on 17.02.2014.
3. Counsel submitted that the case on the sole ground of "loss of jurisdiction" due to the 1994 urbanization of Village Nasirpur is legally unsustainable and constitutes a failure to exercise vested jurisdiction. Counsel argued that although the High Court (RSA 56/2020) previously directed the matter to be decided on its merits with interim protection, the SDM concerned dismissed the case on ground of 'urbanization' status without granting that necessary protection. The Counsel's primary objective is to have the case remanded to the appropriate authority while ensuring the petitioners remain in possession of the land. The Counsel further stated that the High Court's Full Bench is currently deliberating on which agency holds

jurisdiction over urbanized villages, and his clients should not be evicted or penalized during this period of legal ambiguity.

4. Consequently, Counsel for Petitioner(s) prayed for quashing of the Impugned order dated 30.01.2026 passed by RA/SDM concerned and a direction for the matter to be heard on its merits in accordance with established law and judicial precedents.
5. None of the Respondents appeared.
6. In view of the above submissions made by the Counsel for Petitioner, this Court focuses on the procedural timeline and the shifting legal landscape caused by urbanization. Furthermore, recent judicial precedents, such as the Mohinder Singh and Rajeev Shah judgments have changed how land in urbanized villages is governed. This court is of considered view that the matter is currently at a standstill because the "competent authority" cannot be definitively identified until the Full Bench of the High Court delivers its ruling on the jurisdictional conflict between rural and urban governance.
7. In view of the above, the matter is remanded to the Deputy Commissioner concerned with the direction to decide the matter once the larger bench of the Hon'ble High Court of Delhi in matter 01/2024 titled **Court On Its Own Motion Vs. NEMO** comes to a definitive conclusion. Till such time, possession of Petitioner will not be disturbed.
8. Accordingly, the revision petition bearing no. 33/2026 is disposed of in terms of the above.
9. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

16.03.2026

Present : Shri Udaibir Singh Kochar, Counsel for Appellant.
: Shri V.K. Pathak, Counsel for R-3.

1. The Counsel for Appellant contended that the Appellant filed appeal under Section 21 (4) of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against the order dated 09.04.2021 passed by the Settlement Officer (Consolidation) (Alipur), Delhi.
2. The Counsel for Appellant also contended that the father of R-3 had moved an application dated 17.05.2013 before the C.O. (Alipur) with prayer to allot him a land in khasra No.33/19 instead of Khasra No.67/10/3 and the new address mentioned in the application be recorded in the revenue record. Vide order dated 19.11.2013 passed by the C.O. (Alipur), the said application was dismissed. Aggrieved by the order dated 19.11.2013, the R-3 herein filed appeal before the Settlement Officer (Consolidation). The Counsel for Appellant further contended that the R-3 did not make the Appellant as a party in the said appeal. The Appellant came to know about such order dated 09.04.2021 passed by Settlement Officer (Consolidation) only on receipt of notice for hearing dated 06.02.2026 issued by Tehsildar. Thereafter, the Appellant applied for certified copy of the said order dated 09.04.2021 and filed the present appeal before this court. The Counsel for Appellant also requested to grant the stay on the execution of order dated 09.04.2021.
3. In rebuttal, the Counsel for R-3 submitted that he has not received the copy of the present appeal filed by the Appellant and requested to provide the same to enable

him to file reply before the next date of hearing.
Allowed.

4. The R-3 is given an opportunity to come prepared and defend the case on the next date of hearing.
5. Issue notices to the R-1 & R-2 through Deputy Commissioner concerned to be present on the next date of hearing.
6. Interim stay is granted to Petitioner till the next date of hearing.
7. As requested, the copy of this order be given dasti to the Counsel for Appellant.
8. Adj. to 20.03.2026 for arguments.


**Financial Commissioner
Delhi**

Cases Nos.	Titled
✓ 29/2026	Abhishek Gupta Vs. Tehsildar/C.O.
30/2026	Abhishek Gupta (HUF) Vs. Tehsildar/C.O.
31/2026	Madhu Gupta Vs. Tehsildar/C.O.
32/2026	Madhu Gupta Vs. Tehsildar/C.O.

16.03.2026

Present : Shri Vinod Kumar, Counsel for Petitioner in all the cases.
: None for Respondent.

1. Counsel for Petitioner(s) contended that the present petitions filed under Section 42 of the East Punjab Holding (Consolidation & Prevention of Fragmentation) Act, 1948 seeking direction to the Tehsildar/ Consolidation Officer, Khera Kalan for removal of remarks made in khatoni paimaish, against new khata nos. (i) 653 in case no. 29/2026, (ii) 72 in case no.30/2026, (iii) 73 in case no. 31/2026 (iv) 71 in case no. 32/2026 at the time of consignment of records.
2. None appeared for the Respondent.
3. Keeping in view the genesis of similar such cases of village Khera Kalan, orders were passed by this Court vide order dated 13.03.2026 in revision petition numbers 19, 20, 21, 22, 23, & 24 of 2026. The Counsel for petitioner is directed to get a certified copy of aforesaid order passed by this Court and approach the concerned Deputy Commissioner to whom all such cases have been remanded back.
4. Accordingly, revision petitions bearing No. 29/2026, 30/2026, 31/2026 & 32/2026 titled **(i) Abhishek Gupta Vs. Tehsildar/C.O., (ii) Abhishek Gupta (HUF) Vs. Tehsildar/C.O., (iii) Madhu Gupta Vs. Tehsildar/C.O., (iv) Madhu Gupta Vs. Tehsildar/C.O.** are disposed of.
5. Files be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi