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CHARACTERISING LAND AND PROPERTY RELATED LITIGATION AT THE DELHI HIGH COURT

—Devendra Damle* & Karan Gulati**

Abstract – There are three common conjectures regarding land and property related litigations in India. Firstly, it forms a large proportion of the case load in Indian courts. Secondly, the quality of property records is to be blamed for the large volume and length of the litigations. Thirdly, the amount of case load is compounded due to the complexity created by the multitude of laws that govern land and property. Additionally, the government is considered the largest litigant in such disputes. This paper presents a novel data-set of case-level data from the Delhi High Court to test these conjectures. It answers important questions regarding the volume and typologies of such disputes and the typologies of litigants. At the Delhi High Court, land and property disputes constitute 17% of all litigations. In these cases, the largest proportion of litigation is between private parties. The Union Government is the petitioner (or appellant) in 2% of such litigation but is the respondent in more than 18% of cases. Tenancy and land acquisition matters are the most common types of litigation. Lastly, approximately 14% of property litigation is related to property records.

I. INTRODUCTION

Land is the most common asset held in Indian households.¹ Thus, the efficiency of land markets is significant for the developing economy. However,

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¹ There are multiple positions concerning the exact proportion that immovable property occupies in Indian household finance. However, it is generally understood to be the largest constituent. As per Badarizna et al., the average household holds 77% of its total assets in real estate (i.e., residential buildings, buildings used for farm and non-farm activities, constructions such as recreational facilities, and rural and urban land). This is 84% as per the Reserve Bank of India Household Finance Committee.

there is no easy tool to measure efficiency. One measure to understand the efficiency of the land markets is to examine the number and type of disputes in land markets. This helps one understand the underlying pain-points. Such disputes also affect India's overburdened judicial system. The common perception is that the judiciary is plagued with land and property (immovable property) disputes and that reducing such cases is crucial for reducing judicial delays.

Slow judiciaries adversely affect the structure and efficiency of markets and the quality of life of citizens.² Therefore, minimising unnecessary judicial delays could help improve enforcement and enhance the overall rule of law. Judicial delays are estimated to cost India around 1.5% of its GDP annually.³ In a survey of citizens, Daksh (2017) found that more than two-thirds of the respondents involved in ongoing litigation reported land as the leading cause of the dispute.⁴ While this throws some light on the extent of litigation that ordinary citizens are involved in, little is known about the scale of such litigation and its nature from a court's perspective. The prime reason is the lack of analysis-ready data on Indian courts.⁵ Previous studies have also suggested

Cristian Badarinza, Vimal Balasubramaniam, and Tarun Ramadorai, 'The Indian household finance landscape' (2016)6/2016 <<https://ssrn.com/abstract=2797680>> accessed 9 October 2022; see also Household Finance Committee, *Indian Household Finance* (Reserve Bank of India 2017).

² World Bank, *World Development Report: Making Services Work for Poor People* (2004).

India has a slow judiciary – courts are clogged with huge backlogs. As of 8th December 2021, over forty-one million cases were pending across district courts; see also Robert Moog, 'Delays in the Indian Courts: Why the Judge Don't Take Control', (1992) 16 *Justice System Journal* 19; see also Bibek Debroy, 'Justice delivery in India: A snapshot of problems and reforms' (2008) Institute of South Asian Studies Working paper 7/2008 <<https://www.isas.nus.edu.sg/papers/47-justice-delivery-in-india-oco-a-snapshot-of-problems-and-reforms/>> accessed 8 October 2022; see also Pratik Datta, Mehtab Hans, Mayank Mishra, et al., 'How to Modernise the Working of Courts and Tribunals in India' (2019) NIPFP Working Paper No.3/2019 <https://www.nipfp.org.in/media/medialibrary/2019/03/WP_2019_258.pdf> accessed 8 October 2022; National Judicial Data Grid, *Summary Report of India*(8 December, 2021) <<https://njdg.ecourts.gov.in/njdgnew/index.php>> accessed 8 December 2021; see also World Bank, *World development Report 2005: A Better Investment Climate for Everyone*(2005); see also Matthieu Chemin, 'The Impact of the Judiciary on Economic Activity: Evidence from India' (2007) *Cahier de recherche / Working Paper 7* <<https://core.ac.uk/download/pdf/6508416.pdf>> accessed 8 October 2022; see also Manaswini Rao, 'Institutional Factors of Credit Allocation: Examining the Role of Judicial Capacity and Bankruptcy Reforms' (2020).

³ Sudipto Dey, 'Cost of pendency of cases could be as high as 1.5% of GDP: Harish Narasappa', *Business Standard* (14 August 2016) <https://www.business-standard.com/article/opinion/cost-of-pendency-of-cases-could-be-as-high-as-1-5-of-gdp-harish-narasappa-116081400774_1.html> accessed 8 October 2022.

⁴ Daksh (n 2); see also World Bank, *India Land Policies for Growth and Poverty Reduction* (Oxford University Press 2007).

⁵ The issues with the lack of analysis-ready data have been acknowledged by a committee set up at the Supreme Court of India, which observed that: "Data is manual, sometimes inconsistent, splintered and not available in real-time... It is therefore hardly surprising that there is [a] considerable misunderstanding among policymakers and people at large about the performance of the judicial system...; and the challenges it faces." National Court Management System Committee and Advisory Committee, *National Court Management System: Policy and Action Plan* (Supreme Court of India 2012).

that better land-titling and rationalising conflicting laws may reduce litigation.⁶ However, extrapolation is not a substitute for actual measurement. The premise that such litigation constitutes the majority of a court's workload and that most of it is rooted in land-titling issues has not been sufficiently established. Designing effective policy interventions requires a better understanding of the nature and magnitude of immovable property related litigation in Indian courts.

Robinson attempted to address this problem at the Supreme Court of India by constructing a data-set of case-level information.⁷ Since then, several studies have emerged which analyse cases at the Supreme Court.⁸ However, the literature on the functioning of High Courts has remained relatively scant. Most quantitative studies, including those on land litigation, are largely restricted to Supreme Court cases. For example, Wahi, Bhatia, Shukla, et al. (2017) studied 1269 land acquisition cases at the Supreme Court to evaluate why such disputes arise.⁹ Analyses of Supreme Court cases are of limited value for understanding the volume, typologies, and the most frequent causes of disputes. The Supreme Court's jurisdiction is primarily appellate, and it hears limited types of cases.¹⁰ Its case load is not representative of courts across the country. Under the Seventh Schedule to the Constitution of India, States have the right to legislate on many subjects which directly affect land rights. For example, land, agriculture, local government, and regulation of mines and minerals are all in the State List.¹¹ Similarly, inheritance is in the Concurrent List,

⁶ For example, Shah et al. observe that non-recording of easement rights and subsequent encroachment are common reasons for litigation. At the same time, in a study of just eight of India's 29 states, Wahi shows that there are more than 1200 laws related to land, alongside about 150 federal laws; see also Ajay Shah, Anirudh Burman, Devendra Damle, and others, 'Implementation of DI-LRMP in Rajasthan' (National Institute of Public Finance and Policy 2017); see also Namita Wahi, "Understanding Land Conflict in India and Suggestions for Reform" (CPR Policy Challenges 26 June 201) <<https://cprindia.org/understanding-land-conflict-in-india-and-suggestions/>> accessed 8 October 2022; see also Ila Patnaik and Shubho Roy, 'India's woeful land records will have trouble identifying farmers eligible for Rs 500/month' (*The Print* 2019) <<https://theprint.in/opinion/indias-woeful-land-records-will-have-trouble-identifying-a-farmer-eligible-for-rs-500-month/188360/>> accessed 8 October 2022; see also Devendra Damle and Anirudh Burman, 'The Challenge of Building State Capacity in the Land Administration in Rajasthan: Creating a Regulatory Administration in Land'(2020)7/2020 <<https://ssrn.com/abstract=3632780>> Accessed 8 October 2022.

⁷ Nick Robinson, 'A Quantitative Analysis of the Indian Supreme Court's Workload' (2013) 10(3) *Journal of Empirical Legal Studies* 570.

⁸ Aparna Chandra, William HJ Hubbard, and Sital Kalantry, 'The Supreme Court of India: A People's Court?' (2017) 1(2) *Indian Law Review* 145; Krithika Ashok, 'Disinclined to Dissent? A study of the Supreme Court of India' (2017) 1(1) *Indian Law Review* 7; Rahul Hemrajani and Himanshu Agarwal, 'A temporal analysis of the Supreme Court of India's workload' (2019) 3(2) *Indian Law Review* 125.

⁹ Namita Wahi, Ankit Bhatia, Pallav Shukla, and others, *Land Acquisition in India: A Review of Supreme Court Cases from 1950 to 2016* (Centre for Policy Research – Briefs and Reports 2017).

¹⁰ Burt Neuborne, 'The Supreme Court of India' (2003) 1 *International Journal of Constitutional Law* 476.

¹¹ VIIth Schedule (Subject matter of laws made by Parliament and by the Legislatures of States), Constitution of India 1950. The "State List" contains subjects over which the State legislatures

i.e., States can amend legislation governing inheritance enacted by the Union Government.¹² This means that States can and often have different laws affecting rights over immovable property.¹³ The volume and type of litigation may be affected by laws that vary State-to-State. Thus, understanding the State-wise complexity of laws and litigation under them requires analysing cases before High Courts and subordinate courts. Moreover, the proportion of litigation may differ as per the practices and procedures of the concerned court.¹⁴

This paper addresses the gap in the literature on litigation in High Courts by constructing a novel data-set of case-level data from the Delhi High Court (the “court”, unless the context requires otherwise). It is one of five High Courts in India with original jurisdiction.¹⁵ It can directly hear cases where the value of the dispute is more than Rs. 20 million.¹⁶ This is in addition to the ordinary original jurisdiction of High Courts for writs challenging the violation of a constitutional right.¹⁷ The court thus hears both appeals and original disputes. The court is also anecdotally known to be the preferred forum for litigants in the National Capital Region.¹⁸ Given its original and geographical jurisdiction, we expect to capture a significant variety of original and appeal disputes. This paper, in analysing judgments in both civil and criminal matters, attempts to answer the following questions:

1. What proportion of litigation between 1st January 2007 and 31st December 2019 before the court related to immovable property?¹⁹

have exclusive competence, and the role of the Union is one of giving advice and money.

¹² Inheritance is salient in this context because most immovable property in India is acquired through inheritance. For more details, see Sonalde Desai and Debasis Barik, *Land Live: Land ownership in Rural India and Intra Household Exchanges* (India Human Development Survey, Working Paper No 2017-1, 2017); Lahoti, Suchitra, Swaminathan et al., ‘Not in her Name: Women’s Property Ownership in India’ (2016) 51(5) *Economic and Political Weekly* 17; Carmen Diana Deere, Abena D Oduro, Hema Swaminathan et al., ‘Property rights and the gender distribution of wealth in Ecuador, Ghana and India’ (2013) 11(2) *The Journal of Economic Inequality* 249.

¹³ Wahi (n 9).

¹⁴ For example, courts differ in record-keeping practices. Some courts club connected disputes into one. Most courts have their own, usually distinct, schemes for case-type classification. There is no consistency in what the court considers a case. For example, the question, “Do procedural matters filed in the process of a particular litigation count as separate cases?” has a different answer in different States; see also, Law Commission of India, *Arrears and Backlog: Creating Additional Judicial (Wo) manpower* (Report No 245, 2014).

¹⁵ The High Courts of Bombay, Calcutta, Shimla, and Madras are the other High Courts with original jurisdiction.

¹⁶ See Delhi High Court Act 1966, 26 of 1966.

¹⁷ Constitution of India 1950, art 226 (Power of High Courts to issue certain writs).

¹⁸ This is based on conversations with practising lawyers and is supported by manual test checks of the locations of causes of action in cases filed in the Delhi High Court. Such a preference may be attributed to several reasons, including but not limited to the comparative ease of filing procedure, shorter time frames, etc.; see also, Anurav Kaul et al., *Zero Pendency Courts Project* (High Court of Delhi 2019).

¹⁹ For details concerning the time period, see Section II.

2. Who are the parties to such litigation? How often is the government involved in immovable property litigation?²⁰
3. What is the subject matter of immovable property litigation, and what is the distribution of the typologies of this litigation?
4. How frequently are issues related to property records, the cause, or a major contributing factor to litigation before the court?

We find that 17% of all cases in which judgements were passed between 1st January 2007 and 31st December 2019 are related to immovable property. In these cases, the largest proportion of litigation is between private parties. The Union Government is the petitioner (or appellant) in 2% of such litigation but is the respondent in more than 18% of cases. Tenancy disputes are the most common type of litigation, closely followed by land acquisition related matters. Contrary to expectations, disputes related to property records form a small proportion (13.6%) of immovable property litigation before the court. This includes litigation arising due to the record of rights not being updated, mutations not being entered when they should have been, the name of the person in possession not being recorded in the record of rights, or not matching the person's name in the record of rights, etc. We expect this work to serve as a foundation for further analysis to re-evaluate land laws and customs, and the court administration in India.

The rest of this paper is structured as follows: Section 2 describes the methodology adopted for identifying immovable property litigation, Section 3 presents the findings, and Section 4 concludes the paper and presents the way forward.

II. METHODOLOGY

We scraped all judgments by the court between 1st January 2007 and 31st December 2019 from the online records of the judgements and orders available on the LOBIS database using Python 3.8.²¹ We adopted a multi-step approach for identifying cases related to immovable property, relying on the occurrence of certain patterns of text which reliably indicate whether or not a case is related to immovable property. A detailed description of our approach is given in subsection B of this section.

²⁰ For an understanding of our classification of parties as “Government”, see Annexure B. This includes searching for terms such as Union of India, Ministry, and names of statutory bodies such as National Highways Authority of India in the name of parties.

²¹ High Court of Delhi, “LOBIS Database” (2 September 2020) <<http://164.100.69.66/jsearch/>> accessed 8 October 2022.

The database contains the judgments for cases where the court gave a written decision. It does not include cases that were dismissed without a final written decision. Though the latter constitutes a large majority of cases, these would not have been decided on the merit or nature of the dispute (evident from the lack of a written decision). They may represent *disputes* related to immovable property. However, they are not a part of immovable property *litigation* at the court. Since such matters are dismissed at the first instance, the court's decision is based on procedural and not substantial grounds. The tenure of such matters before the court is the same as any other civil litigation dismissed on procedural grounds. The subject matter of the litigation does not guide the outcome. Thus, they do not affect the analysis of the court's actual immovable property related workload.

A. Data Description

Of the 1,006,888 cases in the court's online records of judgements and orders available on the LOBIS database, approximately 800,000 are marked as disposed (as of 2nd September 2020).²² Of this stock of disposed cases, the judgments database contains records for 90,142 cases in which judgements were passed between 1st January 2007 and 31st December 2019. This window was chosen based on consultations with other researchers and practising advocates on the quality and completeness of data. Out of 90,142 cases, 75,435 cases are of the case types expected to contain disputes concerning immovable property. The complete list of case types is in Appendix A. We excluded case types that indicate purely procedural matters, such as caveats, interim applications, and transfer petitions.²³ After manually sifting through several cases and through discussions with practising advocates, we further excluded certain company matters and contempt petitions. Of the 75,435 records for the case types of interest, we could successfully download written judgments for 60,573 cases.²⁴ The LOBIS database provides the (i) case number, (ii) date of the judgment, (iii) names of parties (expressed as X vs Y), and (iii) the link to the text of the judgment. We used text processing tools to extract further information from the fields above. These first-order derived fields were:

1. Case Type: Derived from the case number. The case number is represented in the form of CASE-TYPE SERIAL-NUMBER/YEAR-OF-FILING. E.g.: WP (C) 1234/2015. These were clubbed into twelve buckets, i.e., Arbitration, Civil Appeal, Civil Original, Civil Writ,

²² *Ibid.*

²³ In caveat cases, a party applies to be informed if the opposite party initiates any proceedings. Further, interim applications are filed during a proceeding for permission to file additional documents, condone delay, bring on additional parties, etc.; and transfer petitions make a case for transferring a dispute from one district to another.

²⁴ This difference was caused by non-functional links and corrupted or non-machine-readable files.

Criminal Appeal, Criminal Original, Criminal Writ, Land Acquisition Appeal, Miscellaneous Petitions, Non-subject appeals, Rent Control, and Tax.

2. Petitioner: Derived from the names of parties. Names of parties are of the form “X vs Y”. X denotes the petitioner.
3. Respondent: Derived from the names of parties. Names of parties are of the form “X vs Y”. Y denotes the respondent.
4. Year of filing: Derived from case number. The last four digits in the case number are the year of filing.

We also used pattern matching using regular expressions and manual checks to categorise the petitioners and respondents in the dispute. They were divided into the following types: (i) Business (for-profit private entities), (ii) Central Public Sector Enterprises (CPSE), (iii) Municipal, (iv) Private (Pvt), (v) State Public Sector Enterprises (SPSE), (vi) State, (vii) Union, and (viii) Others. The procedure used for extracting this data is in Appendix B.

B. Strategy for Identifying Immovable Property Litigation

The case types reported by the court were the first filter used to reduce the search space. We only included case types expected to contain disputes concerning immovable property. Two case types — viz. Review Petitions under the Rent Control Act (RC REV) and Appeals under the Land Acquisition Act (LA APP) — relate exclusively to immovable property litigation. All such cases were classified as relevant (i.e., related to immovable property). We analysed the text of the judgments for the remaining case types and used a multi-stage pattern-matching protocol using regular expressions implemented in Python

3.8. We only looked for these patterns in the first 4000 characters of the text of the judgment.²⁵

The steps were as follows:

1. Negative search terms: Search for terms and phrases that reliably indicate that the litigation is not related to immovable property. Some examples are “Armed Forces Tribunal”, “labour court”, and “university/school/college admission”. A complete list of negative search terms is in Appendix C.

²⁵ The court summarises the subject matter of the dispute in the initial paragraphs of the judgment. This decision was based on our previous experience working with judgments, consultations with practising advocates and ex-members of the court administration, and manual checks.

2. Positive search terms: Search for phrases and word combinations that reliably indicate litigation related to immovable property. Some examples are “circle rate”, “eviction”, “mesne profit”, “mortgage”, and “suit property”. If more than one of these terms occurs in the initial 4000 characters of the text, we classified the case as relating to immovable property. A complete list of positive search terms is in Appendix D.
3. Positive statute names: Search for a reference to statutes and policies that reliably and exclusively indicate litigation related to immovable property. Some examples are the Transfer of Property Act, the Delhi Rent Control Act, and the Real Estate (Regulation and Development) Act. Examples of policies include the Policy and Procedure for Permission and Regularisation for Additions/Alterations in DDA Flats and the Delhi Slum and JJ Rehabilitation and Relocation Policy. If any of these statutes or policies are cited along with at least one of the positive search terms, classify the case as relating to immovable property. A complete list of statutes and policies is in Appendix E.

We classified cases as relating to immovable property based on the algorithm above. We then drew a random sample of 700 cases, i.e., approximately 1% of the downloaded data (60,573 cases) and manually checked the accuracy of the classification. The manual check showed erroneous classification for 23 of the 700 cases (3.29%). Of these, 19 were false positives, and 4 were false negatives.

This methodology yielded a total of 15,225 immovable property related cases. This represents 17% of the total 90,142 cases. The results do not agree with the findings of Daksh, which estimated that land disputes constitute 66% of litigation in India.²⁶ The difference could be a result of three factors. First, Daksh only examined civil disputes involving citizens and calculated the percentage of those related to immovable property. Our data includes criminal cases and cases where a private individual is not a party, such as a dispute between a level of government on the one hand and a company on the other. Second, our analysis is exclusive to Delhi, whereas Daksh covers several States. The distribution of the type of litigation could be different across States. Third, Daksh collected information on litigation in the subordinate judiciary. In contrast, our data is from a single High Court.

²⁶ Daksh (n 4).

C. Identification of The Nature of the Litigation

For parameters related to the nature of the dispute, we relied on a manual reading of a random sample of 700 cases. We read the entire text of the judgments and hand-coded the subject matter. This exercise was done independently by the two authors. An input system was deployed to prevent both authors from comparing their classifications. If they marked a judgment differently, an independent reviewer read and classified it. The judgments were classified into seven broad heads viz.:

1. Eviction: eviction petitions and challenges to eviction orders;
2. Land acquisition: challenges to land acquisition proceedings;
3. Family matters: succession, divorce and partition related matters;
4. Contractual: disputes over contracts (such as sale agreements, leases, building contracts, etc.);
5. Allotment: disputes over allotment or cancellation of allotment of land or houses;
6. Mortgage: disputes over mortgage default; and
7. Others: disputes which do not fit in any of the above categories. This includes disputes involving easements, building-code violations, adverse possession, and other matters.

These categories are not mutually exclusive. For example, some matters may involve a bank trying to repossess a built-up property for mortgage default. In such a situation, the relief sought is for the borrower to hand over possession of the property. Such a case would be classified as an eviction and a mortgage dispute.

D. Litigation Due to Property Record Issues

In the sample of 700 cases, we also checked whether the quality of property records is the root of the litigation. To reiterate, this includes litigation arising due to the record of rights not being updated, mutations not being entered when they should have been, the name of the person in possession not being recorded in the record of rights or not matching the name of the person in the record of rights, misidentification of a land parcel, issues with partitions, and issues with succession not being recorded or being improperly recorded. Given the urban nature of Delhi, we included litigation arising from issues in registered deeds between two parties, such as litigation over sale agreements, lease deeds, adoption deeds, relinquishment deeds, release deeds, and gift deeds.

However, in this analysis, we only included cases that concerned an issue with the document itself. As an illustration, we did not include cases related to the non-performance of sale deeds; however, we did include cases where a sale deed was claimed to be fraudulent. A similar blind review methodology as mentioned above was adopted. Of the 700 cases, property records were at the root of the litigation in 95 (13.6%) cases.

E. Limitations

This paper attempts to build a novel data-set of case-level data. However, this is based on the quality of publicly accessible data. Our data is built on the records of judgements and orders available on the LOBIS database maintained by the court. Consequently, the following restrictions arise:

1. The database only contains judgments for cases where the court gave a written decision. It does not include cases that were dismissed without a final written decision. However, as previously explained, these proceedings are not included in the database since they would not have been decided on merit or the nature of the dispute (evident from the lack of a written decision). Thus, they may represent disputes related to immovable property; however, they are not a part of immovable property litigation at the court.
2. While the database includes over 800,000 records, it only includes 90,142 judgments. The majority of the remaining records are interim orders concerning such judgments. Since judgments can include several interim orders, leading to higher uncertainty, we have not included the latter in our sample.
3. Lastly, of the 75,435 records for the case types of interest, we could successfully download written judgments for 60,573 cases. This difference arose because of non-functional links and corrupted or non-machine-readable files. Since the remaining judgments that could not be downloaded are also expected to relate to immovable property, our estimation that 17% of all litigation at the court is related to immovable property could be a slight underestimation.

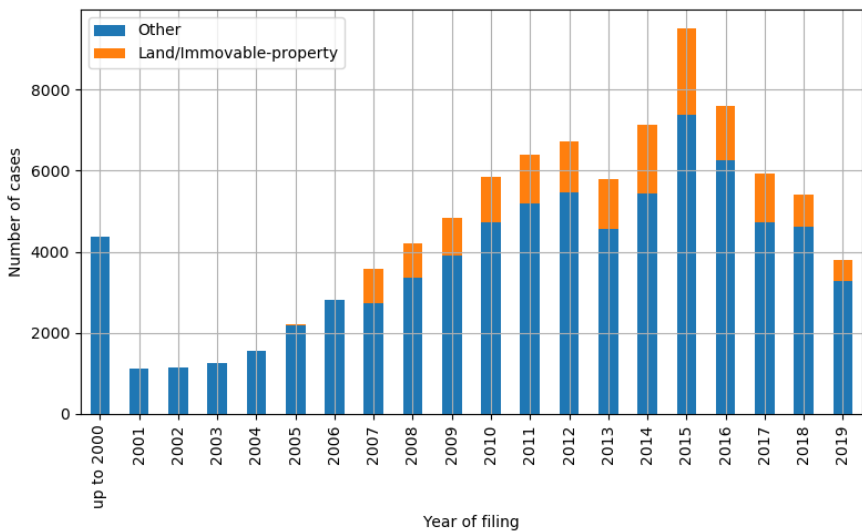
III. FINDINGS

With its vast and varied case docket, the court pronounces judgments on a variety of subjects. It may be an appellate forum for a lower court (district courts, Zilla Parishads, etc.), or act under its original jurisdiction for writs challenging the violation of a constitutional right, or even initiate suo-moto proceedings.²⁷ As Fig. 1 shows, there was an increase in the filing of cases

²⁷ These are proceedings that the court decides on its own motion. This means that the court took notice of the grievances itself without anyone approaching it.

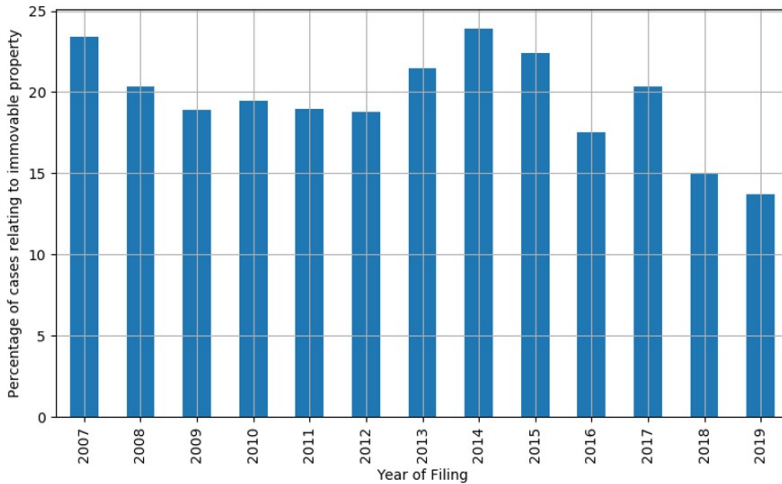
pertaining to immovable property from 2007 to 2015, followed by a declining trend. While the increase from 2007 to 2015 was correlated to the overall rise in filing in the court, the decrease since 2015 is not representative of the court’s docket. Instead, it only represents the time taken for the court to conclude a matter. This is evident since the total number of cases also declined from 2015. Similarly, the lower number of cases before 2007 does not indicate that the court heard substantially fewer cases but that some were filed and disposed by 2007. Cases disposed before January 2007 and pending after December 2019 are not captured in our data since we only include cases disposed between 1st January 2007 and 31st December 2019.

Figure 1: Year-wise distribution of cases



To better understand the impact of immovable property litigation on the court’s workload, Fig. 2 shows immovable property cases as a proportion of the court’s docket from 2007 to 2019. The graph shows that (ignoring 2018 and 2019), on average, immovable property related cases constitute approximately 20% of the court’s docket. While the absolute number of filings of immovable property cases increased from 2007 to 2015, the proportion was relatively flat till 2012. However, there was a slight rise from 2013 to 2015. This may be explained by the passage of the Land Acquisition Act of 2013 or the Commercial Courts Act of 2015, both of which expanded the court’s jurisdiction. However, given that the data is truncated on both sides, i.e., cases disposed before 1st January 2007 and pending as of 31st December 2019 cannot be observed in our data, we do not further analyse changes over time. Instead, we focus on understanding features of the litigation other than those related to time, such as the typologies of immovable property disputes and the typologies of litigants.

Figure 2: Year-wise percentage of property-related cases



A. Types of Petitions

As mentioned earlier, the court hears various categories of cases. They can range from land acquisition disputes to criminal prosecutions. Table 1 presents the number of each category of petition from 1st January 2007 to 31st December 2019, in which a written judgment was passed.

Table 1: Types of petitions

<i>Type</i>	<i>Total cases</i>	<i>Cases related to Immovable property</i>	<i>Percentage of total cases</i>
Civil Writ	26,169	5,195	19.9
Civil Original	9,768	3,007	30.8
Civil Appeal	6,635	2,785	42.0
Non-subject Appeals	7,128	1,663	23.3
Rent Control	1,293	1,293	100.0
Miscellaneous Applications	2,359	475	20.1
Land Acquisition Appeals	332	332	100.0
Criminal Original	8,942	232	2.6
Arbitration	1,053	122	11.6
Criminal Appeal	10,174	81	0.8
Criminal Writ	1,582	40	2.5
Irrelevant/Procedural	14,707	-	-

<i>Type</i>	<i>Total cases</i>	<i>Cases related to Immovable property</i>	<i>Percentage of total cases</i>
Total	90,142	15,225	16.9

Civil writ petitions, i.e., petitions brought before the court to challenge the violation of a constitutional right in a civil dispute, form the largest proportion of cases relating to immovable property. Original civil side cases form the second largest proportion of immovable property litigation, followed by civil appeals. The next largest bucket is Rent Control cases, which relate to tenancy disputes under the Delhi Rent Control Act. These are appeals against the orders of a special court known as the Rent Controller. While cases classified as Rent Control cases represent a small portion of the total case load, we shall see in Section 3.3 that cases related to rental property (viz. eviction, mesne profit etc.) form the largest proportion of litigation.

Similarly, though Land Acquisition Appeals form a small proportion of immovable property litigation, we see in Section 3.3 that petitions against land acquisition proceedings form a large proportion of cases before the court. This is because rental property and land acquisition cases tend to be filed as writ petitions. While this merits further investigation, one conjecture is that the court prioritises writ petitions over other matters since they are meant to relate to constitutional rights violations. Thus, parties are likely to prefer filing cases as writ petitions.

B. Parties to the Litigation

The conjecture that the government is the largest litigant,²⁸ is inaccurate, at least in matters related to immovable property at the court. Table 2 shows the distribution of cases by petitioner and respondent types. We only look at the first petitioners or respondents and do not include proforma parties. For example, if in *X v. Y*, the State Government is included in the other respondents, the data does not count this as a case where the State Government was a respondent. This presents a better picture of the frequency of litigants. It filters cases where the government may be impleaded due to technicalities and not as a disputing party. A detailed description of our methodology for classifying parties is given in Annexure B.

²⁸ See, for example, Deepika Kinhal, 'Tackling government litigation' *The Hindu* (15 January 2018) <<https://www.thehindu.com/opinion/op-ed/tackling-government-litigation/article22444640.ece>> accessed 8 October 2022.

Table 2: Parties in immovable property litigation

Petitioner	Respondent								
	Pvt	State	Union	Business ²⁹	Municipal	CPSE	SPSE	Other	Total
Pvt	6219	2595	1769	631	556	242	62	54	12128
Business	674	189	432	426	73	175	32	8	2009
Union	197	5	2	112	0	5	0	0	321
CPSE	154	8	14	84	8	10	0	0	278
State	192	3	1	43	0	4	3	0	246
Municipal	97	0	1	9	0	1	0	0	108
Other	17	22	27	1	4	0	0	3	74
SPSE	43	0	1	16	1	0	0	0	61
Total	7593	2822	2247	1322	642	437	97	65	15225

The number of cases between non-business private parties is the largest, followed by cases filed by such parties against the State Government. Although the State and Union Governments are the second and third most frequent respondents, they are petitioners in a small fraction of the cases. This finding is similar to Daksh's.³⁰

We also find a small but significant proportion of cases between different government levels and even different arms of the same level of government. Such litigation is costly to the public exchequer,³¹ and it has been an explicit target of the Union Government to reduce the same, if possible.³² In fact, the government set up the Committee of Disputes in 1991. It made it compulsory for all disputes between two government entities to be examined by the High-Powered Committee (Committee on Disputes) before proceeding to a court or tribunal for adjudication.³³ Such cases include petitions where varying departments sought court directions for a particular action, requested intervention over clearances, etc. In one case, the Union of India filed a case against the Government of Delhi regarding the location of a hospital constructed by

²⁹ In Table 2, the category of "Businesses" consists of all companies, partnerships and proprietorships. We achieve this by using certain phrases in the name of the party that indicates it is a business and then manually checking the classification.

³⁰ Daksh (n 4).

³¹ Law Commission of India, *Government and Public Sector Undertaking Litigation Policy and Strategies* (Report No 126, 1988).

³² Union Minister for Law and Justice, National Consultation for strengthening the judiciary and reducing pendency and delays held on 24th and 25th Oct 2009 (2009).

³³ Direct Taxes Regional Training Institute, 'Manual for Filing Appeals in High Court and Supreme Court' (2011). However, in its order in 2011, the Supreme Court noted that although the committee was set up with a "laudatory object" (to reduce government litigation and avoid waste of government resources), it had failed to achieve it in practice. *Electronics Corporation of India v. Union of India and others*, SLP (C) 2583 of 2009.

the latter.³⁴ Similarly, a small but significant proportion of litigation appears between public sector enterprises and the government.

Table 3: Case type vs petitioner

Case Type	Petitioner								Total
	Pvt	Business	Union	CPSE	State	Municipal	Other	SPSE	
Civil Writ	4266	727	32	78	16	13	52	11	5195
Civil Original	2501	423	8	30	25	10	5	5	3007
Civil Appeal	2283	254	38	84	59	54	1	12	2785
Non-subject Appeals	1091	267	85	47	112	22	14	25	1663
Rent Control	1221	63	2	2	1	4	0	0	1293
Miscellaneous Applications	140	200	68	33	20	5	1	8	475
Land Acquisition Appeals	243	3	82	2	1	0	1	0	332
Criminal Original	216	11	0	2	3	0	0	0	232
Arbitration	64	56	2	0	0	0	0	0	122
Criminal Appeal	65	3	4	0	9	0	0	0	81
Criminal Writ	38	2	0	0	0	0	0	0	40
Total	12128	2009	321	278	246	108	74	61	15225

To better understand why parties prefer to approach the court, reference may be made to Table 3, which shows the petitioner-wise count of case types. Civil writ petitions are the most common case type across petitioners. However, of these writ petitions, 150 involve government or government enterprises as the petitioner. This is odd, given that writ petitions are supposed to challenge fundamental and constitutional rights violations. As per the Constitution of India, fundamental rights are usually conferred upon individuals and can only be violated by the State.³⁵

Similarly, the government and its enterprises have inhibited the constitutional objective of protecting individuals from arbitrary state power.³⁶ One instance where the government files writ petitions may be where a department requests intervention over disputed clearances issued by another department.

³⁴ *Union of India v GNCT of Delhi* WP (C) 6901 of 2017.

³⁵ The Constitution of India 1950, arts 12 (Definition) and 13 (Laws inconsistent with or in derogation of the fundamental right).

³⁶ Constitutional rights are separate from fundamental rights. Fundamental rights are inalienable rights explicitly granted through Part III of the Constitution. All rights enshrined in the Constitution, apart from the ones enumerated in Part III, are Constitutional Rights.

Such cases may impact the fundamental or constitutional rights of private parties, and may thus be filed as writ petitions.

Table 4: Case type vs respondent

Case Type	Respondent								Total
	Pvt	State	Union	Business	Municipal	CPSE	SPSE	Other	
Civil Writ	445	2086	1717	99	492	263	53	40	5195
Civil Original	2388	104	38	384	35	40	6	12	3007
Civil Appeal	2351	98	38	225	30	32	7	4	2785
Non-subject Appeals	826	299	147	231	67	64	22	7	1663
Rent control	1247	0	0	44	0	2	0	0	1293
Miscellaneous Petition	133	12	34	251	10	26	8	1	475
Land Acquisition	98	1	230	3	0	0	0	0	332
Criminal Original	49	164	11	8	0	0	0	0	232
Arbitration	28	3	7	69	8	5	1	1	122
Criminal Appeal	23	25	22	6	0	5	0	0	81
Criminal Writ	5	30	3	2	0	0	0	0	40
Total	7593	2822	2247	1322	642	437	97	65	15225

Table 4 shows the respondent-wise count of case types. It shows that non-business private parties are the most common respondents, followed by the State and Union Governments. When read with the findings reported in Table 3, it is clear that most litigation involves a private party against another private party. Also, as we noted earlier, the government is involved in a large chunk of litigation, but typically as a respondent. The overwhelming proportion of these cases are civil writ petitions. This stands to reason since writ petitions are the most frequently deployed case type and are intended to be a mechanism for private parties to enforce their rights in the face of government actions.

C. Typology of Cases

So far, the analysis has included the entire data-set of 15,225 cases. Here on after, we present the analysis for the manually analysed sample of 700 cases. Table 5 shows the distribution of cases by the nature of the dispute. The total exceeds 700 because some cases involve multiple types of disputes. For example, a case might involve a bank trying to evict a borrower from a house for default. We count such a case under the head of both mortgage and eviction disputes.

Table 5: Nature of dispute

<i>Dispute Type</i>	<i>Number of Cases</i>	<i>Percentage</i>
Eviction	240	34.3
Land Acquisition	170	24.3
Contractual	123	17.6
Family Matter	121	17.3
Allotment	40	5.7
Mortgage	26	3.7
Other	31	4.4

In our sample, eviction related matters constituted the largest category of cases at the court, followed by land acquisition matters. This finding is similar to that of Robinson regarding the case load of the Supreme Court, who found that Land Acquisition and Rent matters made up a significant proportion of the court's workload between 2005 and 2011 (10%).³⁷ While land acquisition disputes make up 24.3% of all immovable property cases before the court, land acquisition appeals (LA APP case type) only constitute 2.2% of all petitions. This is because a large proportion of challenges to land acquisition are filed as writ petitions. As Table 6 shows, of the 170 land acquisition disputes in the sample, 132 (77%) were filed as civil writ petitions. Only 16 (9%) were filed as land acquisition appeals. Notably, while the government and its enterprises are petitioners in only 30 out of 700 cases, 13 of those matters, i.e., 43%, relate to land acquisition. In contrast, private parties are petitioners in 521 matters, out of which 133, i.e., 25% are land acquisition related matters. As with table 5, the total in table 6 exceeds 700 (sample size) because some matters include multiple forms of dispute.

Table 6: Dispute type vs petition type

<i>Dispute Type</i>	<i>Petition Type</i>					
	<i>Civil Writ</i>	<i>Civil Appeal</i>	<i>Civil Original</i>	<i>Other</i>	<i>Rent Control</i>	<i>Non-subject Appeals</i>
Eviction	16	48	52	20	92	12
Land Acquisition	132	5	4	21	1	7
Contractual	8	40	22	44	1	8
Family Matter	2	38	52	8	2	19
Allotment	20	3	4	6	0	7

³⁷ This is a proportion of the total workload of the Supreme Court and not immovable property litigation. On the other hand, disputes between landlords and tenants formed as high as 41.73% of the civil caseload for the state of Georgia in 2019. See also, Robinson (n 7); US National Centre for State Courts, 'Court Statistics Project Civil' <<https://www.courtstatistics.org/cspstatnavcardsfirstrow/cspstatcivil>> accessed 5 October 2021.

Dispute Type	Petition Type					
	Civil Writ	Civil Appeal	Civil Original	Other	Rent Control	Non-subject Appeals
Mortgage	11	7	3	3	1	1
Other	7	9	7	3	2	3

Generalising the finding in the case of challenges to land acquisition, writ petitions are frequently used in disputes related to allotment and mortgage. This merits further investigation. One conjecture is that the court prioritises writ petitions over other matters since they are meant to relate to constitutional rights violations.

D. Cases Involving Property Record Issues

In the random sample of 700 cases related to immovable property, 95 (13.6%) cases arose due to issues with property records. Even though property records are commonly understood as a large contributor to disputes, they appear to be a small proportion of cases in our sample. One possible explanation for this could be the high level of urbanisation in Delhi.³⁸ Cities typically have a more diverse spread of economic activity than rural areas, where agriculture is the predominant economic activity. Since land is a critical input to agriculture and most people in rural areas rely on agriculture, we can expect a large proportion of litigation in rural areas to involve land. In contrast, given the wide variety of economic activity in cities, one would expect the sources of disputes to also vary more. Therefore, the relative share of land disputes in total disputes would be lower than in rural areas. This is borne out in our data.

Table 7 shows the distribution of cases involving issues with property records.

Table 7: Cases involving property records

Dispute Type	Total Cases	Cases involving issues with property records	Percentage
Eviction	240	17	7.1
Land Acquisition	170	10	5.9
Contractual	123	25	20.3
Family Matter	121	45	37.2
Allotment	40	9	22.5
Mortgage	26	2	7.7

³⁸ Among all the States and Union territories in India, the National Capital Territory of Delhi has the highest urbanisation with 97.5%, followed by Chandigarh at 97.25%.

Other	31	6	19.4
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Property record issues are disproportionately high in cases involving disputes over family property. This makes sense since succession and partition related matters are where records are most under issue and undergo modification. Property records issues also form a significant proportion of contractual and allotment litigation related to immovable property. Again, this makes sense since transactions involving property (including allotment) are likely to involve property records.

IV. CONCLUSION

Our findings can be summarised as follows:

1. 17% of all litigation at the Delhi High Court is related to immovable property;
2. Writ petitions constitute the single largest case type in immovable property litigation; followed by original side suits, and appeals against orders from subordinate courts;
3. Eviction disputes represent the largest proportion of cases, followed by challenges to land acquisition;
4. Challenges to land acquisition proceedings, allotment matters, and mortgage disputes are most often filed as writ petitions;
5. Most litigation related to immovable property is between private parties;
6. The State and Union Governments are the second and third largest respondents, respectively. But they are often not the petitioners;
7. Property records are responsible for a small proportion of cases; and
8. Property records are typically an issue in litigation related to family property (mainly partition and succession).

Data on the court's workload allows one to understand the types of cases it hears, how they fare, and where and why they originate. Though our findings regarding the proportion of immovable property litigation differ from conventional wisdom, the proportion itself is not of much significance. There is no empirical benchmark to test an ideal proportion. Immovable property is the most commonly owned asset in India — in many cases, it is a household's only asset.³⁹ It seems natural that a high proportion of litigation would

³⁹ Cristian Badarınza, Vimal Balasubramaniam, and Tarun Ramadorai (n 1); Household Finance Committee, Reserve Bank of India (n 1).

be related to property in such an economy. However, as shown, that may not always be the case. As per Burman (2019), if “policy actions are taken on the basis of insufficient evidence, this may lead to wastage of our already low state capacity, and misplaced responses could create additional inefficiencies in the land market.”

What is essential is that the stakeholders are aware of the data and are accordingly enabled to make better decisions. This information can help judges, policymakers, and the public understand courts’ ever-expanding docket and better target interventions.

The findings of this paper point to the need for a more detailed, State-wise investigation of case-level data. Delhi is an urban area. The nature of immovable property litigation may differ in more agrarian States. While the findings in this paper may not represent the situation in the rest of the country, they give some indications of what may not work when it comes to reducing pendency in the courts in Delhi. Improving records may not significantly reduce litigation due to the small proportion of litigation arising from property records. On the other hand, which cases are admitted under the writ jurisdiction might merit reconsideration since it is used for a wide variety of disputes. In this spirit, we intend to replicate this study with data from other high courts and subordinate courts in the future.

This paper presents a novel data-set for studying litigation related to immovable property at one High Court. While it has identified several features of interest, designing precise policy interventions requires further study. Two areas of investigation that need to be pursued are the origins of litigation (the forum where it originated: district court, revenue court, rent control tribunal etc.) and the overall life-cycle of cases, from initiation in a lower court to a conclusion in the High Court. Any policy-making requires rigorous research. Moreover, resolving issues with backlogs in courts and the infamously long durations of litigation in India thus requires a deeper study of disputes in the court system.

ANNEXURE

A. Case Types

We expect the following case types to cover immovable property litigation:

1. Appeal under Land Acquisition Act (LA APP): A challenge to land acquisition for compensation, delay in possession, etc.
2. Appeal under § 10F of the Companies Act (CO A (SB)): An appeal under the erstwhile Companies Act 1956 against a decision of the Company Law Board.

3. Arbitration Appeal (ARB A, ARB A (COMM)): Challenge to an Arbitral Award under § 37 of the Arbitration and Conciliation Act 1996.
4. Arbitration Petition (ARB P): Any petition filed in the High Court in Arbitral Proceeding that does not challenge the tribunal's order. For example, recall of an order appointing a Nominee Arbitrator.
5. Civil Miscellaneous in Civil Writs (CM APPL): Any miscellaneous application filed in the course of a Civil Writ Petition. For example, an application for the stay of a notice or circular.
6. Civil Miscellaneous Main (CM (M)): A petition under Article 227 of the Constitution of India.
7. Civil Revision (CRP): A revision petition under § 115 of the Code of Civil Procedure 1908.
8. Civil Suit (CS (OS), CS (COMM)): A suit on the Original Side of the High Court, i.e., where the claim is above Rs. 2 Crore or a suit on the Commercial Side of the court.
9. Civil Writ (WP (C)): A Writ Petition under Article 226 of the Constitution of India.
10. Company Appeal (CO APP): An appeal against a decision of the Company Court, usually challenging a winding-up proceeding.
11. Criminal Appeal (CRL A): An appeal under § 374 of the Code of Criminal Procedure 1973 against the decision of a subordinate court.
12. Criminal Miscellaneous Application (CRL LP, CRL M (CO), CRL MC): An application to request varying actions in a criminal proceeding. For example, an application for the opposite party to produce certain evidence.
13. Criminal Original (CRL O, CRL O (CO)): A proceeding under the extraordinary criminal original jurisdiction of the High Court.
14. Criminal Reference (CRL REF): A reference under § 395 of the Code of Criminal Procedure 1973 by a subordinate court for clarity on a question of law.
15. Criminal Review Petition (CRL REV P): A petition for the court to review its decision in a criminal case on the grounds of an error apparent on the face of the record.

16. Criminal Writ (WP (CRL)): A Writ Petition under Article 226 of the Constitution of India.
17. Execution First Appeal (EFA (OS), EFA (OS) (COMM)): An appeal against a decision in an Execution Petition.
18. Execution Petition (EX P): A petition to the court after the pronouncement of a decision to execute the same.
19. First Appeal (FAO, FAO (OS), FAO (OS) (COMM), OA): The first appeal from an order of a subordinate court or a single judge in a CS (OS).
20. Letter Patent Appeal (LPA): An appeal challenging an order passed by a single judge in cases other than a CS (OS), commonly an order passed in a Writ Petition.
21. Matrimonial Cases (MAT, MAT APP, MAT APP (FC), and MAT CASE): Original and appellate cases in matrimonial disputes such as the dissolution of marriage.
22. Original Miscellaneous Petition (OMP, OMP (COMM), OMP (CONT), OMP (E), OMP (E) (COMM), OMP (EFA) (COMM), OMP (ENF) (COMM), OMP (MISC), OMP (MISC) (COMM), OMP (T), OMP (T) (COMM)): An original petition usually under § 34 of the Arbitration and Conciliation Act 1996.
23. Original Reference (O REF): A reference under § 113 read with Order XLVI of the Code of Civil Procedure 1908 by a subordinate court for clarity on a question of law.
24. Probate Case (TEST CAS): A case to grant probate and related matters under Successions Acts such as the Indian Succession Act 1925 and the Hindu Succession Act 1956.
25. Regular First Appeal (RFA, RFA (OS), RFA (OS) (COMM)): An appeal under § 96 of the Code of Civil Procedure 1908 against the decision of a subordinate court or a decision on the Original Side of the High Court.
26. Regular Second Appeal (RSA): An appeal under § 100 of the Code of Civil Procedure 1908 against the decision of a subordinate court.

27. Rent Control Second Appeal (RC SA): An appeal against the decision of a Rent Control Tribunal or Additional Tribunal under § 39 of the Delhi Rent Control Act 1958.
28. Review Petition (REV PET): A petition under § 114 of the Code of Civil Procedure 1908 for the court to review its jurisdiction.
29. Revision Petition under the Rent Control Act (RC REV): A revision petition under the Delhi Rent Control Act 1958 impugning the decision of a Rent Controller or Additional Rent Controller.

B. Protocol for Categorisation of Litigants

The classification was done as follows:

1. Identify private limited companies: Based on the terms like private limited, incorporated and their variations.
2. Identify educational institutions and non-corporate organisations: Based on terms such as school, Vidyalaya, college, and university, and their variations.
3. Identify local bodies: Based on terms such as municipal, SDMC, NDMC, MCD, Gaon Sabha, and their variations.
4. Identify Union Government entities: Based on (i) terms such as Union of India, Ministry, (ii) names of statutory bodies such as National Highways Authority of India, and (iii) names of regulators such as Central Electricity Regulatory Commission, and other government bodies, and acronyms and variations of their names.
5. Identify State Government entities: Based on (i) terms such as State govt, Govt of National Capital Territory, (ii) names of agencies such as Delhi Development Authority, (iii) designations of administrative officials such as tehsildar, district magistrate, and (iv) acronyms and variations of all terms.
6. Identify Central Public Sector Enterprises: Based on a comprehensive list of names of CPSEs such as National Thermal Power Corporation, Air India etc. and acronyms and variations of their names.
7. Identify State Public Sector Enterprises: Based on a comprehensive list of SPSEs, such as BSES Rajdhani, Delhi Industrial and Infrastructure

Development Corporation, Delhi Tourism Development Corporation etc. and acronyms and variations of their names.

8. Identify courts and court bodies: Based on terms such as judge, civil magistrate, chief justice etc. and their acronyms and variations.
9. Identify companies and organisations from remaining unsorted entities: Based on terms most likely to appear exclusively in the names of companies such as M/s, enterprises, industries, manufacturing, global, universal, world, modern, etc.
10. Mark remaining unsorted entities as private parties.
11. Manually check and correct all categories.

C. Negative Search Terms

We used the following regular expressions (as implemented in Python 3.8) for a case insensitive search to identify cases reliably not related to immovable property:

- | | |
|-------------------------------------|---|
| 1. acit | 15. Customs and Excise |
| 2. all india pre medical test | 16. dcit |
| 3. amalgamation | 17. dead body |
| 4. anti sikh riot victim | 18. demurrage |
| 5. Armed Forces Tribunal | 19. Delhi Higher Judicial Services |
| 6. arms act licen[sc]e | 20. Delhi School Education Act |
| 7. assessing officer | 21. defamation disparagement |
| 8. Back Wages | 22. Disciplinary Authority |
| 9. blood | 23. dispute resolution panel |
| 10. cbdt | 24. Employee s Compensation Act |
| 11. Central Administrative Tribunal | 25. Employees Provident Fund Appellate Tribunal |
| 12. central board of direct taxes | 26. Grant of authorization\W+ |
| 13. competition commission | 27. grant of parole |
| 14. copy *rights? | 28. habeas corpus |

- | | |
|---|---|
| 29. illegal.{,15} detain | 45. recruitment quota |
| 30. Industrial Dispute | 46. Private Security Agencies
Regulation Act |
| 31. Intellectual Property | 47. probation |
| 32. Insurance | 48. purchase order |
| 33. juvenile justice jbb juvenility | 49. recruitment quota |
| 34. Labour court | 50. Restitution of Conjugal Rights |
| 35. illegal mining | 51. Retrenchment |
| 36. minority quota | 52. scholarship |
| 37. motor accident | 53. sexual harassment |
| 38. murder | 54. smuggl[eingd]+ |
| 39. National Commission for
Minority Educational | 55. snatched |
| 40. Institutions Act | 56. subject vehicle |
| 41. pocso sexual offences | 57. theft |
| 42. Private Security Agencies
Regulation Act | 58. Trade and Tax |
| 43. probation | 59. Trade *Mark |
| 44. prosecutrix | 60. vehicle loan |
| | 61. wharf charge |

D. Positive Search Terms

We used the following regular expressions (as implemented in Python 3.8) for a case insensitive search to identify cases related to immovable property:

- | | |
|-------------------------------|---|
| 1. adverse possession | 7. Committee for rehabilitation
and resettlement |
| 2. agreement to sell | 8. Circle rate |
| 3. Apartment | 9. construction |
| 4. Bigha | 10. Coparcener |
| 5. Biswa | 11. dispossess |
| 6. Community forest right CFR | 12. easement |

- | | |
|--|---|
| 13. ejection | 39. living will |
| 14. (? :encroachment occupation occupied\\ structure construction) | 40. Memorandum to Sell |
| 15. evicte?d? | 41. Mesne Profit |
| 16. Eviction | 42. Mutation |
| 17. Fair Compensation | 43. National Monitoring Committee for \\rehabilitation and resettlement |
| 18. final will | 44. Patta |
| 19. .Floor area ratio FRA | 45. possess.\\{,15\\} premises |
| 20. Floor space index FSI | 46. Preemption |
| 21. free *hold | 47. Probate |
| 22. gift deed | 48. purchase .\\{,15\\} (? :plot land -flat\\ house building)+ |
| 23. (?<!through his) Heir | 49. Real Estate |
| 24. (?<!through her) Heir | 50. Record of rights |
| 25. immov[e]*able (? :asset property) | 51. Registered Will |
| 26. Inherit | 52. (?<!room) Rent |
| 27. Jamabandi | 53. rented |
| 28. Kattha | 54. Residential |
| 29. Khasra | 55. revenue records |
| 30. Khata | 56. Row house |
| 31. Khatauni | 57. sale deed |
| 32. Khewat | 58. sub *let |
| 33. Land Acquisition Rehabilitation and \\Resettlement Authority | 59. Succession |
| 34. Land Ceiling | 60. Successor |
| 35. lease deed | 61. Tenant |
| 36. Leave and License | 62. Testamentary |
| 37. Lessor | 63. testator |
| 38. letter[s]* of administration | |

- 64. testatrix
- 65. absolute owner
- 66. acquired land
- 67. Agricultural land
- 68. allot.\{,15\
(?:flat|plot|land|apartment|house)+
- 69. (?:flat|plot|land|apartment|house)+.\{,15\
allot
- 70. building bye[]*laws
- 71. bona[]*fide necessity
- 72. easementary right
- 73. Easement by way of
(?:Necessity|Prescription)
- 74. land *lord
- 75. Land Owner
- 76. land revenue record
- 77. lease *hold
- 78. Mortgage
- 79. Partition
- 80. pay.\{,15\
rent
- 81. planning (?:dep[a-z]+|board)
- 82. Ready reckoner
- 83. Real Estate Appellate Tribunal
- 84. reconveyance
- 85. regional plan
- 86. remove encroachment
- 87. Rent Control Tribunal| RCT
- 88. Rent Tribunal
- 89. Rent Control
- 90. resettlement scheme
- 91. Slum Rehabilitation
- 92. subject property
- 93. suit premises
- 94. suit property
- 95. Title Deed
- 96. TDR|Transferable development
rights
- 97. trespass
- 98. unauthori[zs]ed
- 99. vacant possession|vacat.\{,15\
premises

E. List of Statutes And Policies

<i>Period</i>	<i>Statutes and policies</i>
Till 1947	Easements Act, Revenue Recovery Act, Inland Vessels Acts, Married Women’s Property Act, Transfer of Property Act, Land Improvement Loans Act, Land Acquisition Act, Colonisation of Government Lands (Punjab) Act, Hindu Disposition of Property Act, Cantonments (House Accommodation) Act, Indian Succession Act, Hindu Women’s Rights to Property Act, Hindu Married Women’s Right to Separate Residence and Maintenance Act.

<i>Period</i>	<i>Statutes and policies</i>
1948 to 1960	Ajmer Tenancy and Land Records Act, Evacuee Interest (Separation) Act, Factories Act, Mines Act, Requisitioning and Acquisition of Immovable Property Act, Delhi (Control of Building Operations) Continuance Act, Hindu Succession Act, Slum Areas (Improvement and Clearance) Act, Cantonments (Extension of Rent Control Laws) Act, Delhi (Control Of Building Operations) Act, Delhi Development Act, Delhi Rent Control Act, Delhi Land Holdings (Ceiling) Act, Manipur Land Revenue and Land Reforms Act, Mineral Products (Additional Duties Of Excise And Customs) Act.
1961 to 1975	Coal Mines Conservation And Development Act, Delhi (Urban Areas) Tenants Relief Act, Essential Services Maintenance Act, Railway Property (Unlawful Possession) Act, Faridabad Complex (Regulation and Development) Act, Public Premises Eviction of Unauthorised Occupants, Delhi Lands (Restrictions on Transfer) Act, Haryana Ceiling on Land Holdings Act, Haryana Public Premises and Land (Eviction and Rent Recovery) Act, Haryana Requisitioning and Acquisition of Immovable Property Act, Haryana Urban (Control of Rent and Eviction) Act, Haryana Requisitioning and Acquisition of Moveable Property Act, Haryana Urban Development Authority Act.
1976 to 2000	Haryana Apartment Ownership Act, Delhi Apartment Ownership Act, National Housing Bank Act, Prohibition of Benami Property Transactions Act, Acquisition of Certain Area at Ayodhya Act, Delhi Rent Act, Land Acquisition (Mines) Act, Manipur Municipalities Act, Manipur Panchayati Raj Act.
2001 to 2020	Coal Mines (Special Provisions) Act, Haryana Special Economic Zone Act, Haryana Regulation of Property Dealers and Consultants Act, Policy and Procedure for Permission and Regularisation, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Relocation Policy, Real Estate (Regulation and Development) Act, Gurugram Metropolitan Development Authority Act, Faridabad Metropolitan Development Authority Act, Faridabad Development Corporation Act, National Capital Territory of Delhi Laws (Special Provisions) Act, Street Vendors Protection of Livelihood Act.