

A.No. 736/24, 737/24, 738/24, 739/24, 740/24, 741/24 & 742/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Prashant Diwan, Ld. counsel for the respondent.

Ld. counsel for appellant request for a short adjournment as vacation notice has been served in this case and they are apprehending demolition action.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law Officer.

The Executive Engineer(B) is directed to ensure the presence of the concerned AE(B), who shall appear in person alongwith the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on 13.09.2024.

The Registrar, ATMCD is also directed to send a copy of this order alongwith notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 698/24

11.09.2024

Present : Sh. Man Mohan Goel, Ld counsel for the appellant.

File taken up today on an application seeking early hearing in the matter.

It is submitted by the Ld. counsel for appellant that the court has already issued notice of the appeal for 16.10.2024 but they are apprehending the demolition which will make their appeal infructuous.

Accordingly notice of the application be issued to the respondent department for 18.09.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 453/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Rono Mohanty, Ld. counsel for the respondent.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law Officer.

The Executive Engineer(B) is directed to ensure the presence of the concerned AE(B), who shall appear in person alongwith the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on 19.09.2024.

The Registrar, ATMCD is also directed to send a copy of this order alongwith notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 321/22

11.09.2024

Present : Ms. Kiran, Ld counsel for the appellant from LAC.
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Ld. counsel for appellant submits that she is not able to contact the appellant and has no instruction in the matter. She seeks short adjournment.

Put up for purpose already fixed on 07.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 177/20

11.09.2024

Statement of Nitya Nand S/o Late Som Dutt
Bhardwaj, R/o C-3/11, Model Town-III, Delhi,
Manager of the appellant society .

On SA

I am the Manager .of the appellant society. I am
authorized by the society to withdraw the present
appeal. My authorization letter is Ex. C-1 (OSR). I
may be allowed to withdraw the present appeal, the
same may be dismissed as withdrawn.

RO&AC

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 177/20

11.09.2024

Present : Sh. Nitya Nand, Manager of the appellant society.
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Sh. Nitya Nand, Manager of the appellant society submits that he has been authorized by the society to withdraw the present appeal. He has placed on record his authorization letter which is Ex. as C-1.

Separate statement of the Manager of appellant society has been recorded in this regard.

In view of the facts and circumstances, the appeal filed by the appellant society is dismissed as withdrawn.

The record attached with this appeal be detached and tagged with the connected appeal file bearing No.197/20 titled Supreme Court Bar Cooperative Housing Society Vs SDMC, which is listed for arguments on 02.01.2025.

Appeal file be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 448/24 & 481/24

11.09.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

The record has been produced. It be deposited with Registry and tagged with the file.

Ld. counsel for respondent seeks some time to file status report.

Opportunity granted.

Part arguments on the interim application heard.

Relist for further arguments on the interim application 18.09.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 701/24

11.09.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Status report filed. Copy supplied.

Part arguments on interim application as well as on the point of appeal heard.

Ld. counsel for respondent submits that he needs assistance of various AE(B)s who have dealt with the matter at different point of time.

Accordingly, all the AE(B)s who have dealt with the matter at different point of time are directed to appear on next date of hearing to assist the Ld. counsel for respondent.

Ld. counsel for appellant submits that as the interim application is partly heard, therefore, status quo may be granted as they are apprehending demolition action in the property.

Accordingly, in view of the above facts and circumstances, status quo be maintained in respect of the property in question till next date of hearing.

It is clarified that the observations made while passing of this order by this Court shall not tantamount to the expression on the merits of this case.

-2-

It is also directed that the appellant shall not carry out any further construction in the property in question without necessary approval as per law.

Put up for arguments on appeal on 14.10.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 671/24

11.09.2024

Present : Sh. Sunil Pandey, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

An application is moved on behalf of the appellant seeking change of date of hearing as Ld. counsel for appellant is busy in another matter before the Hon'ble High Court.

Ld. counsel for respondent does not oppose the request and submits that short adjournment may be given.

Accordingly on the request of both the parties, relist for purpose already fixed on 18.09.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024 J

A.No. 689/24 & 690/24

11.09.2024

Present : Sh. Sahil, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
joined through VC alongwith Ms. Renu Soni, Nodal
Officer, present in the court.

Ld. counsel for the appellant submits that they are
pressing arguments on appeal as it is made on limited
ground of non-service of notice.

Arguments addressed by both the parties at length on
appeal.

Put up for orders on 12.09.2024.109/

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 572/23

11.09.2024

Present : Sh. S.S. Dass & Ms. Sia Dass, Ld counsela for the appellatant.
Sh. V.K. Aggarwal, Ld counsel for the respondent alongwith Sh.Sunil Chauhan, AE(B).

Part arguments heard on the point of prayer in respect of installation of tiles on the terrace.

Ld. counsel also seeks time to place on record site plan of the terrace where tiles needs to be installed and also photographs of the terrace.

Opportunity granted.

Short adjournment is sought on behalf of the appellatant as there is urgent need to repair the terrace due to rainy season.

Put up for further proceedings on 19.09.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 278/24

11.09.2024

Present : Sh. S.S. Dass & Ms. Sia Dass, Ld counsels for the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent alongwith Sh.Sunil Chauhan, AE(B).

Put up with connected matter on 19.09.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 682/19

11.09.2024

Present : Sh. Fehaan Khan proxy counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

Proxy counsel of appellant placed on record copy of the order passed by the Hon'ble High Court in W.P.(C) No.11187/2021, as per which the said case is now listed before the Hon'ble High Court on 15.10.2024 for awaiting the disposal before the Judicial Committee.
Renotify for consideration on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 351/24 & 352/24

11.09.2024

Present : Sh. Monis Rais, Ld counsel for the appellant.
Sh. V.K. Aggarwal, proxy counsel for Sh. Ashutosh
Gupta, Ld counsel for the respondent.

Reply to the application under section 5 of the
Limitation Act filed, copy supplied.

Put up for arguments on limitation application on
19.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 264/24

11.09.2024

Present : Sh. Monis Rais, Ld counsel for the appellant.
Sh. Ankur Sharma, Ld counsel for the respondent
joined through VC.

Ld. counsel for respondent assures to file the reply of
the application under Order 6 Rule 17 CPC during the
course of the day and supply the advance copy to the
Ld. counsel for appellant.

Opportunity granted.

Put up for arguments on the application under Order 6
Rule 17 CPC on 19.11.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

1-15 p.m.

At this stage Ld. counsel for respondent Sh. Ankur
Sharma appeared and filed reply of the application
under order 6 Rule 17.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 724/22, 725/22 & 726/22

11.09.2024

Present : Sh. Deepak Tyagi, Ld counsel for the appellant. Fresh Vakalatnama filed, same is taken on record
Sh. V.K. Aggarwal proxy counsel for Sh. Mohit Sharma, Ld counsel for the respondent.
Sh. Harsh Gupta, Ld. counsel for intervener alongwith intervener in person.

Ld. counsel for appellant submits that he has been recently engaged and needs some time to inspect the record and address the arguments.

Opportunity granted.

Relist for arguments on the application seeking condonation of delay on 03.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No.309/24, 310/24 & 311/24

11.09.2024

Present : Sh. Lohit Ganguly & OPradeep Kumar, Ld counsel for
the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Part arguments on an application seeking condonation
of delay heard.

Put up for further arguments on the application for
condonation of delay on 14.11.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 33/24, 34/24, 35/24, 52/24, 825/23, 826/23, 827/23, 834/23,
835/23, 836/23.

11.09.2024

Present : Sh. Mayank Goel, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Part arguments on an application seeking condonation
of delay heard.

Put up for further arguments on the application for
condonation of delay on 14.11.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 738/23, 739/23, 740/23, 741/23

11.09.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal Nos. 739/23 & 741/23.
Ms. Praveen Sharma, Ld. counsel for respondent in
appeal Nos. 738/23 & 740/23.

Part arguments on an application seeking condonation
of delay heard.

Put up for further arguments on the application for
condonation of delay on 14.11.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 202/23

11.09.2024

Present : Appellant in person.
Sh. Anubhav Gupta, Ld counsel for the respondent
joined through VC.

Part arguments heard.

Put up for further arguments alongwith connected
appeal on 14.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 728/24

11.09.2024

Present : Sh. B.S. Saini, Ld counsel for the appellant.

File is mentioned by the Ld. counsel for appellant for dasti order.

Request is allowed.

Copy of the order dated 10.09.2024 be given dasti.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 757/24, 758/24 & 759/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Ms. Parul Agarwal, Ld counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for further proceedings on 17.09.2024.

The Registrar, ATMCD is also directed to send a copy of this order along with notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 763/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Ritu Raj Biswas, Ld counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for further proceedings on 23.09.2024.

The Registrar, ATMCD is also directed to send a copy of this order along with notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No.764/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh.Ajit Singh, Ld counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for further proceedings on 20.09.2024.

The Registrar, ATMCD is also directed to send a copy of this order along with notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 765/24

11.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Jasbir Singh Malik & Ms. Rashmi Bath, Ld counsel
for the appellant.

Issue notice of interim application(s) as well as appeal
to the respondent through concerned Chief Law
officer.

The Executive Engineer (B) is directed to ensure the
presence of the concerned AE(B), who shall appear in
person along with the record of the proceedings,
status report and reply on next date of hearing.

Put up for further proceedings on 17.09.2024.

The Registrar, ATMCD is also directed to send a copy
of this order along with notice.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 638/24

11.09.2024

Present : Sh. K.N.Singh Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
joined through VC.

Status report is filed by the respondent department.
Copy supplied.

The record has been produced. It be deposited with
Registry and tagged with the file.

Ld. counsel for appellant submits that he want to
inspect the record to address the arguments in the
matter.

Put up for arguments on interim applications(s) as well
as appeal on 23.09.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 562/24

11.09.2024

Present : Sh. M.M.Beg, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of the
respondent / MCD along with Sh. Ajay Chaudhary,
AE(B).

Status report is filed. Copy supplied.

Ld. counsel for appellant submits that appellant wish
to withdraw the present appeal.

Separate statement of the Ld. counsel for appellant
has been recorded in this regard.

In view of the facts and circumstances, the appeal
filed by the appellant is dismissed as withdrawn.

Appeal file be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 562/24

11.09.2024

Statement of Sh. M.M.Beg, Ld. counsel for appellant
At Bar.

I am the counsel for appellant in the present appeal. I
have instructions to withdraw the present appeal, the
same may be dismissed as withdrawn.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

R.O.&C.

A.No. 700/24

11.09.2024

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.
Sh. V.K.Aggawal, Ld counsel for the respondent.

Put up with connected appeal on 14.10.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 684/23 & 288/23

11.09.2024

Present : Sh. Nimit Gaur , Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent
joined through VC.

Status report is filed by the respondent department.
Copy supplied.

Part arguments heard.

Ld. counsel for respondent submits that he is stuck in
urgent hearing in the Hon'ble High Court of Delhi and
seeks adjournment to address the arguments.

Opportunity granted.

Concerned AE(B) is directed to remain present in
person on the next date of hearing.

Put up for consideration on status report on
22.10.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 100/24

11.09.2024

Present : Sh. Sudhir Kumar, Ld counsel for the appellant along with appellant.
Sh. V.K.Aggarwal, Ld. proxy counsel for the respondent.

Arguments on the application under Section VI Rule 17 CPC heard.

Ld. counsel for appellant submits that inadvertently in para 4 of the table in appeal, address of property is mentioned incorrectly, however the correct address is mentioned in the prayer clause of the appeal. He submits that amendment will not change the nature of the appeal.

Ld. counsel for respondent does not oppose the request as amendment only seeks to correct typographical mistake. Accordingly, amendment is allowed. Amended appeal is taken on record.

Put up for arguments on the point of appeal on 02.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024 rk

A.No. 308/24

11.09.2024

Present : None for the appellant.
 Sh. Avishek Kumar, Ld counsel for the respondent.

None appeared on behalf of appellant.

No adverse order is being passed today in the interest of justice.

Put up for the purpose already fixed on 28.10.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No.454/12

11.09.2024

Present : Sh. J.B.Rana, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Part arguments by both the parties heard.

Clarifications are addressed by both the Ld. counsels in respect of the previous order.

Ld. counsel for respondent submits that the department have issued all the notices in the present proceedings to the Presidents / Secretaries of the Society and they have no objection the present appeal is pursued by the Society in respect of prayer sought in the appeal.

Put up for final arguments on 22.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024 rk

A.No. 375/18 & 376/18

11.09.2024

Present : Sh. Deepak Grover, Ld. proxy counsel for the
appellant.
None for the respondent.

Proxy counsel submits that the main counsel Sh.
G.R.Verma is not available today due to medical
exigency.

In the interest of justice, one more opportunity is
granted to address the arguments.

Put up for the purpose already fixed on 07.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024 rk

A.No. 141/19, 137/19, 140/19, 138/19

11.09.2024

Present : Sh. Fehaam Khan, Ld. proxy counsel for the appellant.

None for the respondent.

Proxy counsel submits that the main counsel Sh. M.S.Khan is not available today due to demise of his colleague.

In the interest of justice, one more opportunity is granted to address the arguments.

Put up for the purpose already fixed on 07.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 56/23

11.09.2024

Present : Sh. Sunil Chauhan, Ld counsel for the appellant joined through VC.
Ms. Parveen Sharma , Ld counsel for the respondent.
Sh. Pradyumna Tyagi, Ld. counsel for the intervener.

Ld. counsel for appellant seeks adjournment to address the arguments. He submits that he needs to inspect the record and take instruction from the party in respect of regularization application.

In the interest of justice, one more opportunity is granted.

Put up for arguments on the point of appeal on 07.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024 rk

A.No. 173/20

11.09.2024

Present : Sh. Rajeshwari, Ld proxy counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as the main counsel Sh. Aditya Sharma is not available today due to medical exigency.

Reply is filed on behalf of Shri Rakesh Kumar, Deputy Commissioner, Civil Lines Zone. In the report it is stated that original record of rejection of regularization dated 30.07.2020 deposited in the registry on 20.02.2024. The report found satisfactory. The officer concerned is discharged.

Put up for the purpose already fixed on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 118/24

11.09.2024

Present : Sh. Rahul Miglani, Ld counsel for the appellant.
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Pritiesh
Sabbharwal, Ld. Counsel for the respondent.

Reply to the application for condonation of delay is
filed by the respondent department. Copy supplied.
Put up for arguments for seeking condonation of delay
on 13.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024

A.No. 11/24

11.09.2024

Present : Sh. M.P.Bhargava, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
joined through VC.

Ld. counsel for appellant filed three different applications which are as follows:

- A. Application under Section 151 CPC to calculate the misuse charges and conversion charge of the property.
- B. Application under Section 151 CPC seeking amendment in the appeal.
- C. Application under Section 151 CPC seeking temporary desealing of the premises.

Copy supplied to the respondent department.

Put up for reply and arguments on the application for seeking temporary desealing of premises on 13.09.2024 and for remaining applications on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.09.2024