

A.No. 817/2024  
20.09.2024

Fresh appeal is filed. Be checked and registered.

Present : Sh. Ravindra Kanth, Ld. counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of 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.  
Arguments heard on interim application.  
Put up for orders today at 4:00 p.m.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

At 4:00 p.m.

Present : Sh. Ravindra Kanth, Ld. counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.  
  
Ld. counsel for the appellants presses interim application. It is submitted by Ld. counsel for the appellant that the present appeal has been jointly filed by the 16 flat owners who are owners of the respective unit / flat in the property in question. He submits that the appellants have come to know about the impugned demolition order only through the vacation notice dated 09.09.2024 and no hearing has been granted to the appellants by the Quasi Judicial Authority. He submits that appellants are bona fide purchasers of the property in question and do not have any alternative residential arrangement. He submits that in the vacation

notice dated 09.09.2024, only 03 days time has been granted to vacate the property failing which coercive action of demolition may be initiated.

Ld. counsel for the appellants submits that in case the interim protection is not granted at this juncture, the appellants who are residing with their family members will suffer irreparable injury and loss of residence.

Arguments heard and record perused. The contentions regarding service of demolition order and show cause notice goes to the root of the matter and needs to be decided after hearing respondent corporation.

In view of the aforesaid peculiar facts and circumstances, the respondent is directed to maintain the status quo in respect of the property in question and no further coercive action be taken against the subject property till the next date of hearing.

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

It is also directed that the appellant shall not carry out any further construction in the property in question. They shall also not create any third party rights in the subject property. Put up for arguments on interim application and on the point of appeal on **25.10.2024**.

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

Copy of this order be given dasti as prayed for.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 652/23

20.09.2024

Present : Appellant in person along with Sh. Pankaj Tomer, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld. counsel for respondent no. 1 & 2.  
Sh. Rakshit Saini, Ld. Proxy counsel for the respondent no. 3.

It is submitted by Ld. counsel for the appellant that arguing counsel Mr. Rajeev Chetri is not available today due to some personal exigency.

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

Put up on 21.01.2025 for the purpose already fixed.

Interim order to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No.819/2024

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Anuj Kumar Garg, Ld counsel for the appellant.

Ld. counsel for the appellant requests for short date as vacation notice has been issued against the property in question.

Accordingly, 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 **24.09.2024**.

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

Copy of this order be given dasti as prayed for.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No.818/2024

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Vikas Khatri, 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 **30.09.2024**.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No.816/2024

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. V. S. Sharma, 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 **27.09.2024**.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 107/20 & 602/19

20.09.2024

File is taken up today on an application seeking early hearing.

Present : Sh. Gajender Nath, Ld counsel for the appellant.

It is stated in the application that vide order dated 12.09.2024 passed in WP (C) No. 9604/2024 the Hon'ble High Court of Delhi has disposed of the Writ Petition with direction to this Tribunal to expedite the hearing in the present appeal.

Accordingly, in compliance of the directions issued by Hon'ble High Court of Delhi, notice of the application be issued the respondent corporation for **30.09.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 732/24

20.09.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for the respondent.

1. Reply to the application seeking condonation of delay filed by the respondent. Copy supplied. Arguments on the application is addressed by both the parties.
2. It is submitted that Writ Petition bearing no. 9437/2024 was pending before the Hon'ble High Court of Delhi. The appellant joined the said proceedings and their application under Order I Rule 10 CPC was allowed on 29.07.2024. It is stated that thereafter by order dated 29.08.2024, the said Writ Petition was disposed of with liberty to the appellant to approach this Tribunal.
3. It is submitted by Ld. counsel for the appellant that copy of the demolition order was not supplied earlier to the appellant and they only received the same on 03.09.2024 and this appeal was filed on 05.09.2024. Ld. counsel for the respondent opposes the application. He submits that P-9/C of the record shows that demolition order was served upon one Mr. Panchal. However, he submits that the record does not specify how Mr. Panchal is connected to the appellant / addressee.

**Contd. P-2**



4. It is admitted position that the parties were appearing before the Hon'ble High Court of Delhi in the first round of litigation and vide order dated 29.08.2024, the liberty was granted to the appellant to approach this Tribunal. Thereafter, on supply of the demolition order, the present appeal has been filed. The service of demolition order goes to the root of the matter and needs to be adjudicated on merits in the present matter. The appellant has been able to show sufficient cause for condoning the delay. The application for condonation of delay is allowed.
5. Arguments on the point of appeal are addressed by both the parties at length. It is submitted by Ld. counsel for the appellant that the show cause notice as well as demolition order have not been served upon the appellant. He submits that bare perusal of the show cause notice and demolition order show that it has been addressed to Mr. Manoj Kumar Bansal. He submits that the property 1<sup>st</sup> to 4<sup>th</sup> Floor was already sold by Mr. Manoj Kumar Bansal prior to demolition order i.e. 24.12.2023 and the subsequent purchasers should have been given opportunity of hearing in the proceedings before the Quasi Judicial Authority. He submits that subsequent purchasers Mr. Aman Gupta and Mr. Neeraj Arora have already got mutation in respect of 2<sup>nd</sup> and 3<sup>rd</sup> floor in the MCD records and get

their mutation letters at P-136A & P-136B of the appeal. He submits that despite having knowledge about the subsequent owners of the property, the Quasi Judicial Authority did not deem it appropriate to join them in the proceedings before it.

6. On the other hand, Ld. counsel for respondent submits that the demolition order and show cause notice was served by way of Speed Post as well as by way of Affixation. He submits that despite service, no one joined the proceedings and Competent Authority proceeded further to pass the order.
7. Arguments heard and record perused. The show cause notice at P-3C of the record of the respondent is only addressed to Mr. Manoj Kumar Bansal. The appellant has placed on record copy of Sale Deeds which shows that property was already sold by Mr. Manoj Kumar Bansal prior to the said date of impugned order. The subsequent purchasers have got their names mutated in the MCD record, despite the said fact, the Quasi Judicial Authority failed to join them in the proceedings before it. The Speed Post receipt placed on record is only addressed to Mr. Manoj Kumar Bansal and not others. Tracking report is also not on record.

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8. Similar is the scenario in respect of the demolition order dated 24.12.2023. It is stated to have been received by one Mr. Panchal but the respondent has failed to clarify about the connection of Mr. Panchal with the appellant and record is silent in this regard.
9. In view of the aforesaid circumstances, it is clear that the appellants were not given an opportunity to join the proceedings and put forth their version before the Quasi Judicial Authority. Accordingly on the basis of the said observations the appeal is allowed and the impugned order dated 14.12.2023 is set aside. The matter is remanded back to the Quasi Judicial Authority to decide the same afresh after hearing all respective owners of property involved.
10. Appellant shall appear before the Quasi Judicial Authority on **04.10.2024 at 2.00 p.m.** The Quasi Judicial Authority shall provide an opportunity to appellant to submit additional reply and documents and also grant them personal hearing. The appellant is directed to place on record all relevant documents pertaining to the property in question before the Quasi Judicial Authority and no further opportunity will be granted.
11. The Quasi Judicial Authority thereafter shall pass a speaking order after dealing with all the submissions,

**Contd. P-5**

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pleas and defences raised by the appellant and shall communicate the said order to appellant.

12. Appellant shall however not raise any unauthorized construction in the property in question without necessary permission as per law.
13. 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.

Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024(s)

A.No. 685/24

20.09.2024

Present : Sh. Shahbaz Ahmad Naik and Mr. Mayank Pandey,  
Ld counsels for the appellant.  
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Status report filed. Copy supplied.

An application is moved on behalf of the appellant seeking permission to place on record additional documents in support of his appeal pending before this Tribunal.

Ld. counsel for the respondent submits that without prejudice to their rights and contentions, they have No Objection in case the application is allowed and documents are taken on record.

Accordingly, the application is allowed and the documents are taken on record.

Part arguments on the point of appeal addressed by both the parties.

Ld. counsel for the appellant seeks an adjournment to take instructions in respect of the property tax return of the property in question.

Put up for final arguments on **14.10.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 s

A.No. 746/24

20.09.2024

Present : Ms. Shivani Gupta, Ld counsel for the appellant.  
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for the respondent.

Status report filed. Copy supplied.

Reply is also filed on behalf of respondent to the application under Section 5 of the Limitation Act. Copy supplied.

Put up for arguments on the application under Section 5 of the Limitation Act, interim application as well as on appeal on **29.11.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 670/24

20.09.2024

Present : Sh. Maanish Mohan Chaudhary, Ld counsel for the appellant joined through VC.  
Mr. Sanjay Sethi, Ld. counsel for the respondent along with Mr. Surander Singh AE (B) WZ.

Status report is filed. Copy supplied.

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

Arguments on the point of appeal are addressed by both the parties at length.

Put up for orders on **25.09.2024**.

The status quo be maintained till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 434/24

20.09.2024

Present : Sh. H. S. Kohli, Ld counsel for the appellant.  
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Mr. Ashutosh Gupta, Ld. counsel submits that he has been recently engaged in this case and needs instruction from the department and file status report and record.

Opportunity granted.

Ld. counsel for the appellant submits that shorter date is given as the premises in question stands already sealed.

Put up for arguments on interim application as well as on appeal on **27.09.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024



A.No. 522/24

20.09.2024

Present : Sh. Tabrez Alam and Mohd. Qamar, Ld counsels for the appellant.  
Mr. Naveen Grover and Mr. Vansmani Tripathi, Ld. counsels for applicant/ intervener.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

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

An adjournment is sought on behalf of the respondent to file the status report in the matter.

Opportunity granted.

Ld. counsel for the appellant submits that they will file reply to the application under Order I Rule 10 CPC during the course of the day and will supply the copy to the intervener.

Put up for arguments on application under Order I Rule 10 CPC, interim application as well as appeal on **19.11.2024.**

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 98/23

20.09.2024

Present : Sh. Shiv Charan Garg, Ld counsel for the appellant.  
Ld. Proxy counsel for the respondent.

An adjournment is sought on behalf of the respondent as counsel Mr. Karan Gupta is not available today due to some medical exigency as he is hospitalized.  
Put up on **23.01.2025** for the purpose already fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 205/24 & 216/24

20.09.2024

Present : Sh. Kulwant Rana , Ld counsel for the appellant.  
Sh. Akash Chatterjee , Ld counsel for the respondent  
joined through VC (in appeal No. 205/24).  
Mr. Sandeep Kumar, Ld. counsel for respondent (in  
appeal No. 216/24).

An application seeking condonation of delay is  
pending for consideration in the present matter.

Before proceeding further in the matter, it would be  
prudent to decide the said application.

Respondent is given last opportunity to file their reply  
failing which this Tribunal shall be constrained to  
decide the application on merits.

Advance copy of the reply be supplied to the  
appellant.

Put up for reply and arguments on the application on  
**06.11.2024.**

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 90/23

20.09.2024

Present : Appellant in person.  
Sh. V. K. Aggarwal, Ld counsel for the respondent.

The appellant submits that his counsel was available in the morning session but due to some exigency he rushed to the Hon'ble High Court of Delhi and not available in the post lunch session.

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

Put up on 18.11.2024 for the purpose fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 51/22

20.09.2024

Present : Sh. B. S. Saini, Ld counsel for the appellant.  
Sh. A. L. Agnihotri, Ld counsel for the respondent.

Ld. counsel for the appellant submits that he wants to inspect the case file and requests for some time.

Put up for the purpose fixed on **21.01.2025** with connected case.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 193/22, 155/22

20.09.2024

Present : Sh. Ashok Rajgopalan, Ld counsel for the appellant.  
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for the respondent.

Ld. counsel for the parties submit that it is already lunch time and after lunch they are not available. Accordingly, at joint request of the parties, put up on **21.01.2025** for the purpose already fixed. Interim order to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 246/22

20.09.2024

Present : Sh. Ashok Rajgopalan, Ld counsel for the appellant.  
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for the respondent.

Ld. counsel for the parties submit that it is already lunch time and after lunch they are not available. Accordingly, at joint request of the parties, put up on **21.01.2025** for the purpose already fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 577/18

20.09.2024

Present : Sh. R. K. Hooda, Ld counsel for the appellant.  
Sh. H. R. Aggarwal, Ld counsel for the respondent.

An application is moved on behalf of the appellant seeking waiver of cost imposed upon him vide order dated 16.01.2024.

Ld. counsel for the appellant undertakes that in the present case no unnecessary adjournment shall be taken in future.

In view of the reasons stated in the application and in the interest of justice, the application is allowed. The cost is waived off.

Re-list on **20.01.2025** for the purpose fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024



A.No. 585/22

20.09.2024

Present : Ms. Aditi Aggarwal, Ld counsel for the appellant.  
None for the respondent.

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

Put up on 23.01.2025 for the purpose fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 361/23

20.09.2024

Present : Sh. Faizan Parvez, Ld counsel for the appellant.  
Mr. Vijay Tyagi, Ld. counsel for the respondent.

Part arguments heard.

Put up for further arguments on **18.11.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 796/24

20.09.2024

Present : Sh. Parth Mahajan, Ld counsel for the appellant.

The notification regarding New Delhi Municipal Council conferring the powers to the undersigned has not yet been received and same is still awaited.

Renotify for consideration on 23.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No.799/24

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh.Ayush Gupta, Ld counsel for the appellant joined through VC.

It is submitted by Ld. counsel for appellant that they have come to know about demolition proceeding initiated by the respondent through order dated 26.05.2023 passed in WP(C) 3454/2022 by the Hon'ble High Court of Delhi. He submits that in para-2 of the said order the extract of the report filed by the MCD is reproduced. He submits that the said report mentions 5 different file numbers vide which this booking has been done by the MCD. Ld. counsel submits that they have applied a RTI to MCD to know about file number in which their property is stated to be booked but the reply is still awaited. He submits that as a matter of abundant precaution and peculiar circumstances they have filed 5 different appeals impugning all the orders passed by the MCD in all the file numbers as stated in the report filed before the Hon'ble High Court.

Deliberations are made with Ld. counsel in respect of necessary of filing 5 different appeals in respect of

same property. Ld. counsel, on instructions, submits that as they are seeking protection in respect of khasra No.478/396/87/1 and it will suffice that at this juncture if notice be issued to the respondent in one of the appeal seeking status report and other appeals be kept pending for consideration. He submits that after getting the status report of the MCD he will seeks instructions from the appellant to proceed further with the other appeals.

Accordingly, 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 04.10.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 802/24, 805/24, 806/24 & 807/24

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh.Ayush Gupta, Ld counsel for the appellant joined through VC.

Put up for consideration on 04.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 814/24

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh.R.N. Mishra, 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.

Ld. counsel informed that the other appeals pertaining to the same property are listed before this Tribunal for 30.09.2024.

Put up for further proceedings on 30.09.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 815/24

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh.Tabrez Alam and Mohd. Qmar, 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 19.11.2024.

It is pointed out by the Ld. counsel for appellant that Hon'ble High Court vide order dated 15.07.2024 in W.P.(C) 9578/2024 has passed the following directions which are reproduced as under:-

“8. Bearing in mind the submissions made in the instant writ petition and considering the similar order which the Court is passing in various other matters, the Court disposes of the instant petition with the following directions:-

- a) Let the petitioner to file an appeal alongwith stay application before the Appellate Tribunal-MCD within three working days.



-2-

- b) The respondents are restrained from taking any demolition action against the petitioner till the petitioner's application for stay is decided by the said Tribunal."

In compliance of the directions passed by the Hon'ble High Court of Delhi, respondent is restrained from taking any demolition action against the property in question till the interim application for stay is decided by this Tribunal.

Put up for arguments on interim application and appeal on 19.11.2024.

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

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 820/24

20.09.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Gurmit Singh Hans, 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 24.09.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 782/24

20.09.2024

Present : Sh. Pankaj Vivek, Ld counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent  
joined through VC.

Part arguments on interim application are addressed by both the parties at length.

Ld. counsel for respondent seeks some time to take instruction from the department in respect of issue involved and seeks some more time to address arguments on the interim application.

As the interim application is partly heard, status quo be maintained in respect of the property in question and no further coercive action be taken against the subject property till the 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.

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 further arguments on interim application as well as application seeking condonation of delay on 21.10.2024.

Copy of this order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 781/24

20.09.2024

Present : Sh. Pankaj Vivek, Ld counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent  
joined through VC.

Part arguments heard.

Put up with connected appeal on 21.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 756/24

20.09.2024

Present : Sh. Ankit Yadav, Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent  
alongwith Sh. Surender Singh AE(B).

Status report is filed by the respondent department,  
copy supplied.

Ld. counsel for the respondent submits that booking  
has been done in respect of ground floor, first floor,  
and second floor of the property but the ground floor  
and first floor has given the protection under National  
Capital Territory of Delhi Laws (Special Provision)  
Second Amendment Act, 2011 in the impugned order  
and the demolition order has been passed in respect  
of second floor of the property.

Ld. counsel for appellant submits that he needs some  
time to take instructions for moving regularization  
application in respect of second floor of the property in  
question and seeks short adjournment.

Accordingly, put up for final arguments on 17.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 767/24

20.09.2024

Present : Sh. V.S. Sahay, Sh. Surya Kant and Sh. Shubham  
Pandey, Ld counsels for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Vide separate order of even date, the present appeal is allowed and the matter is remanded back to the quasi judicial authority for deciding the same afresh.

Record of the respondent, if any, returned along with copy of this order and appeal, file be consigned to record room.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 764/24

20.09.2024

Present : Sh. Ajit Singh, Ld counsel for the appellant.  
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Pritiesh  
Sabbharwal, Ld. Counsel for the respondent alongwith  
Sh. Srikant Prasad, AE(B).

Status report filed, copy supplied.

Ld. counsel for the respondent seeks a short  
adjournment to file reply of the application seeking  
condonation of delay. Advance copy be supplied to  
the appellant.

Put up for arguments on application seeking  
condonation of delay as well as appeal on 08.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 561/24

20.09.2024

Present : Sh. G.R. Verma, Ld counsel for the appellant.  
Sh. H.R. Aggarwal, Ld counsel for the respondent  
alongwith Sh. P.K. Jindal, AE(B).

Status report filed, copy supplied.

Ld. counsel for respondent seeks some time to file  
reply of the application seeking condonation of delay.

Opportunity granted. Advance copy of the reply be  
supplied to the Ld. counsel for appellant.

Part arguments on application seeking interim stay  
heard.

Ld. counsel for respondent seeks some time to take  
further instructions from the department for addressing  
further arguments on the interim application.

As the interim application is partly heard, status quo  
be maintained in respect of the property in question  
and no further coercive action be taken against the  
subject property till the 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.

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



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Put up for further arguments on interim application as well as application seeking condonation of delay on 22.10.2024.

Copy of this order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 630/24

20.09.2024

Present : Sh. Sharvan Dev, Ld counsel for the appellant.  
Ms. Mehak Arora, Ld counsel for the respondent.

Status report filed, copy supplied.

Part arguments on application seeking interim stay addressed by both the parties.

Record of the respondent is not produced due to which the arguments could not be concluded.

It is informed by Ld. counsel for respondent that record in present case is attached with appeal No.367/24. The Registrar of the Tribunal is directed to produce that record before the court on next date of hearing.

It is pointed out by the Ld. counsel for respondent that on page -22 of the appeal, the appellant is relying upon a GPA dated 16.01.1996 which mentions about site plan of the property in question. He submits that site plan is necessary for adjudication of the controversy before this Court.

Appellant is relying upon the GPA in support of his appeal and that site plan is part and parcel of the GPA which is not on record. I find merits in submissions made by the Ld. counsel for respondent that site plan needs to be perused to have clarity in respect of the facts that present case. Accordingly, the appellant is directed to file the said site plan on the next date of hearing.

-2-

As the interim application is partly heard, status quo be maintained in respect of the property in question and no further coercive action be taken against the subject property till the 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.

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

Put up for further arguments on interim application as well as appeal on 14.10.2024.

Copy of this order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 644/24

20.09.2024

Present : Sh. Hitesh Puri and Sh. Sourav Sharma, Ld counsel for the appellants.

Sh. Madan Sagar, Ld counsel for the respondent No.1 alongwith Sh. Harjit Singh, AE(B).

Sh. Arun Sharma & Chandan Kumar Ld. counsel for respondent No.2. Fresh Vakalatnama filed, same is taken on record.

Sh. Hemant Dexit Ld. counsel for R-3.

Sh. Shresht Jain & Sh. Rajesh Tiwari, Ld. counsel for R-4,5,6 & 7. Fresh Vakalatnama filed, same is taken on record.

Status report filed, copy supplied.

An application under Order VI Rule 17 CPC has been filed, copy supplied.

Put up for filing reply and arguments on the application on 07.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 665/24

20.09.2024

Present : Sh.Vikram Singh Dalal, Ld counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent  
joined through VC.

It is submitted by both the parties that the writ petition bearing WP(C) 10533/2024 has been disposed off by the Hon'ble High Court. It is informed that order is yet to be up-loaded on the website.

Sh. Ranjit Pandey, Ld. counsel for respondent submits that once the order is up-loaded, he will take instructions from respondent and file status report in the matter on the next date of hearing.

Accordingly, on joint request of both the parties, matter is listed for arguments on interim application as well as appeal on 08.10.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 150/22

20.09.2024

Present : Sh. Manu Sishodia, Ld counsel for the appellant.  
Sh. Raujas Sharma proxy, Ld counsel for the respondent.

Part arguments heard

It is already 4.40 p.m. No time left.

Put up for purpose already fixed on 17.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 530/13

20.09.2024

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

Ld. counsel for appellant seeks short adjournment and he submits that misuse charges have already been deposited and the appeal is only pending for substitution of Karta of HUF.

Put up for further proceedings on 07.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 315/22 & 316/22

20.09.2024

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

Part arguments heard.

It is already 4.30 p.m. No time left.

Put up for purpose already fixed on 20.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024



A.No. 559/23

20.09.2024

Present : Sh. G.D. Mishra, Ld counsel for the appellant joined through VC.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for appellant submits that appeal filed before Ld. Principal District Judge has been dismissed.

Put up for arguments on application seeking condonation of delay on 20.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 244/15 & 964/13

20.09.2024

Present : Ms. Priti Shah, Ld counsel for the appellant joined through VC.  
Sh. Dharamvir Gupta , Ld counsel for the respondent in appeal No.964/13.  
Ms. Manjusha Jha, Ld. counsel for respondent in appeal No.244/15.

An adjournment is sought on behalf of the appellant as main counsel is not available today.

At request, put up for purposed already fixed on 22.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

5.00 p.m.

At this stage Ms. Geetu Raheja has appeared through VC for appellant and she is apprised about the order passed today.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No.413/24

20.09.2024

Present : Sh. Sidharth Arora, Ld counsel for the appellant joined through VC.  
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Pritiesh Sabbharwal, Ld. Counsel for the respondent.

Status report is filed.

It is already 4.30 p.m. No time left.

Put up for purpose already fixed on 03.12.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 411/24

20.09.2024

Present : None for appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent / MCD.

Part Arguments heard.

It is already 4.40 p.m. No time left.

Put up for purpose already fixed on 20.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 105/22

20.09.2024

Present : Ms. Rajni Chauhan, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD.

Ld. counsel for appellant submits that after the amendment of their appeal they have moved a fresh application seeking condonation of delay and no reply to the said application has been filed by the respondent.

Respondent is given last and final opportunity to file reply of the application, if any. Advance copy of reply be supplied to the respondent.

Put up for reply and arguments on application seeking condonation of delay on 20.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 47/22

20.09.2024

Present : Ms. Aditi Aggarwal, Ld counsel for the appellant.  
Ms. Vasu Singh, Ld counsel for the respondent joined  
through VC.  
Sh. Shayuk Kumar, Ld. counsel for intervener.

Part arguments heard

It is already 4.40 p.m. No time left.

Put up for purpose already fixed on 23.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 386/20 & 349/20

20.09.2024

Present : Sh. Shayuk Kumar, Ld counsel for the appellant.  
Sh. Ranjeet Pandey, Ld counsel for the respondent  
joined through VC in appeal No.349/20.  
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Pritiesh  
Sabbharwal, Ld. Counsel for the respondent in  
appealNo.386/20.

Part arguments heard.

It is already 4.30 p.m. No time left.

Put up for purpose already fixed on 23.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 402/21

20.09.2024

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.  
Ms. Vasu Singh, Ld counsel for the respondent joined  
through VC.

An application u/s 151 CPC is moved on behalf of  
appellant. Copy be kept on record and be provided to  
Ld. counsel for respondent.

Put up for reply and arguments on the aforesaid  
application on 21.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024



A.No. 319/21

20.09.2024

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.  
Ms. Vasu Singh, Ld counsel for the respondent joined  
through VC.

It is already 4.40 p.m. No time left.

Put up for purpose already fixed on 21.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024

A.No. 224/22

20.09.2024

Present : Appellant in person.  
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Pritiesh  
Sabbharwal, Ld. Counsel for the respondent.

Appellant informed that he has impugned the order dated 02.04.2024 before the Hon'ble High Court of Delhi and the matter is yet to be listed. He seeks short adjournment in the present matter on that ground.

Accordingly, put up for purpose already fixed on 17.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J

A.No. 338/19, 119/19 & 71/19

20.09.2024

Present : Sh. Alok Singh, Ld counsel for the appellant.  
Sh. H.R. Aggarwal, Ld counsel for the respondent in  
appeal No.71/19.  
Sh. V.K. Aggarwal, Ld. counsel for respondent in  
appeal No.119/19 & 338/19.

Ld. counsel for appellant submits that his file is  
misplaced and he is not in a position to argue the  
matter today.

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

Put up for purpose already fixed on 24.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
20.09.2024 J