

A. No. 238/24

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent.

Arguments could not be heard today as Ld. counsel  
for the respondent Mr. Ashutosh Gupta is unavailable  
due to some medical exigency in his family.

Accordingly, the matter be re-listed for the purpose  
already fixed on **09.09.2024 & 10.09.2024**  
**at 3:00 p.m.**

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.09.2024

A. No. 255/24

**06.09.2024**

Present : Sh. Kunal Mehta, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

List of documents filed on behalf of the respondent.  
Arguments could not be heard today as Ld. counsel for the respondent Mr. Ashutosh Gupta is unavailable due to some medical exigency in his family.  
Accordingly, the matter be re-listed for the purpose already fixed on **09.09.2024 & 10.09.2024 at 3:00 p.m.**

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 316/24 & 317/24

**06.09.2024**

**File taken up today on an application u/s 151 CPC  
for seeking early hearing.**

Present : Sh. Prateek Chaudhary, Ld counsel for the appellant.

Ld. counsel for appellant submits that in the present case they have impugned the sealing order passed against the shop of the appellant which is the only source of livelihood for him. He submits that in case the matter is not proponed the appellant shall suffer irreparable injury and loss of business.

In view of the submissions made by the Ld. counsel, issue notice of this application for 28.10.2024 for the purpose already fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 452/24

**06.09.2024**

Present :

Sh. R.K. Lamba, Ld counsel for the appellant joined through VC alongwith Ms. Tamana, Advocate, present in the court.

Sh. Atul Tanwar, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

Arguments on the application for interim stay heard.

It is argued by Ld. counsel for appellant that in present case neither the show cause notice nor the demolition order has been served upon the appellant. He submits that the order passed by the respondent department does not give any specification of the unauthorized construction.

It is submitted that appellant came to know about the present proceedings on receiving a vacation notice. He submits that the property in question is old construction and appellant has placed on record the electricity bill of the year 1993 and the property tax receipts of the year 1983 to corroborate his version. He submits that the appellants are residing in the said property and in case interim order is not granted they will suffer irreparable injury and loss.

On the other hand, Ld. counsel for respondent opposes application. The record of the department shows that the show cause notice stated to have been served by affixation, however, no photographs are

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there in the respondent record. No tracking report in respect of the demolition order is available on record. No photographs of the alleged unauthorized construction in question is also placed on record by the respondent department.

Accordingly, in view of the above facts and circumstances, the interim application is allowed and status quo be maintained in respect of the property in question till further orders and no coercive action be taken against the subject property.

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 arguments on appeal on 19.12.2024.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 392/24

**06.09.2024**

Present : Sh. Anil Kumar, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent  
alongwith Sh. S.S. Meena, AE(B).

Status report is filed by the respondent department.

Part arguments heard.

Ld. counsel for appellant seeks some time to address  
the further arguments.

Put up for final arguments on 09.09.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 495/24 & 496/24

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

An adjournment is sought on behalf of the respondent to address the arguments as Mr. Ashutosh Gupta, counsel for respondent is not available due to some medical exigency in his family.

Put up for purpose already fixed on 04.11.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No.648/24

**06.09.2024**

Present : Sh.Sourav Ghosh , Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent.  
Fresh Vakalatnama filed, same is taken on record

Part arguments on interims application heard.  
Arguments could not be concluded as time bound case bearing No.255/24 and 238/24 are listed today.  
Put up for further arguments on interim application on 23.10.2024.  
Status quo to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 693/24

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

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

Put up for arguments on interim application as well as on the point of appeal on 30.09.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 493/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Kanwal Chaudhary & Sh. Ankit Kumr, Ld counsels 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 the next date of hearing.

It is submitted by Ld. counsel for appellant that in WP (C) No.8391/2024 vide order dated 08.07.2024 the Hon'ble High Court of Delhi passed the following directions

“4. Having considered the submissions so made, the Court deems it appropriate to dispose of the instant writ petition with the following directions:-

- (i) Let the petitioner to take appropriate remedy before the Appellate Tribunal-MCD within four working days from today.
- (ii) On filing of the appeal before the Appellate Tribunal-MCD, the respondent is restrained to take any further coercive steps till the

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application for interim relief is heard and decided by the Appellate Tribunal-MCD.

(iii) All rights and contentions of the parties are left open.”

Accordingly, in compliance of the directions issued by the Hon'ble High Court of Delhi, status quo be maintained in respect of the property in question and the respondent department is restrained to take any further coercive steps till the application for interim stay heard and decided by this Tribunal.

Put up for further proceedings on 22.10.2024

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 404/20 & 405/20

**06.09.2024**

Present : Sh. G.R. Verma, Ld counsel for the appellant.  
Sh. H.R. Aggarwal , Ld counsel for the respondent  
alongwith Sh. Ankit JE(B).

JE(B) informed that the Dy. Commissioner, Shahdara South Zone has already issued direction for reconstruction of the file in question and they are in process of collecting the documents. He assures that by the next date of hearing the department will complete the file and will be ready to address the arguments in the present matter.

One opportunity granted.

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

Put up for arguments on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 192/23 & 193/23

**06.09.2024**

Present : Ms. Shivani Gupta proxy counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.  
Sh. Puran Singh Nahar, Ld. counsel for intervener.

It is submitted on behalf of the appellant that main counsel is not available today.

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

Relist for purpose already fixed on 19.12.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 370/21 & 20/21

**06.09.2024**

Present : Appellant in person.  
Sh. Sagar Dhama, Ld. counsel for respondent.  
Sh. G.R. Verma, Ld. counsel for intervener.

It is submitted on behalf of the appellant that main counsel is not available today.

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

Relist for purpose already fixed on 19.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 528/24

**06.09.2024**

Present : Sh. G.R. Verma, Ld. counsel for the appellant.  
Sh. Sagar Dhama, Ld. counsel for respondent.

Adjournment sought on behalf of the respondent department for filing status report and record.

Opportunity granted.

Advance copy of status report be supplied to the appellant.

Relist for further proceedings on 19.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 696/24

**06.09.2024**

Present : Sh. Malaya Kumar Chand, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Documents placed on record, copy supplied.

Ld. counsel for appellant submits that appellant has received a vacation notice and in case interim relief is not granted the appeal will become infructuous.

Part arguments heard.

Arguments could not be concluded as there is time matter bearing appeal No.255/24 & 238/24 are listed today.

Accordingly status quo be maintained in respect of the property in question and no further coercive action be taken qua fourth floor of the property bearing No.18/2, Old Rajinder Nagar, New Delhi till the next date of hearing.

It is clarified that the observation 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.

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Put up for further arguments on application for interim stay on date already fixed i.e. 17.09.2024,  
Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 420/18 & 421/18

**06.09.2024**

Present : Sh. Vinay Arora, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Part arguments heard.

Arguments could not be concluded today as there are time bound matters bearing appeal No. 238/24 & 255/24 are listed for today.

Put up for the purpose fixed on 23.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 748/17 & 768/17

**06.09.2024**

Present : Sh. Chander Pal Singh Siddhu, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

An application under Order XXII Rule 3 is moved on behalf of the appellant nos. 2 to 8 seeking permission to implead the legal heirs of appellant Lekh Raj Gautam who is stated to be expired on 23.12.2021.

Issue notice of application be issued to the legal heirs of appellant no.1 through the applicant.

Copy of this order given dasti as prayed for.

Put up for reply and arguments on the aforesaid application on 23.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 496/23

**06.09.2024**

Present : Sh. Kshitiz Mahipal, Ld counsel for the appellant.  
Sh. V. K. Aggarwal, Ld counsel for the respondent.

Status report is filed in compliance of previous order informing that in spite of best efforts of the department, the construction beyond 40 SQM allotted to the grand-mother of the appellant could not be ascertained, as the existing construction of the subject property is in alignment with adjoining properties.

Put up for arguments on the point of appeal on 28.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 446/14

**06.09.2024**

Present : Sh. H. S. Sharma, Ld counsel for the appellant.  
Sh. Sandeep Kumar , Ld counsel for the respondent.

Status report is filed by the respondent department. Along with the report, a letter dated 04.09.2024 issued to the appellant requesting to submit legible documents is filed. The appellant submits that he has not received said letter so far. Copy supplied to him today.

In order to cut short the controversy, personal hearing be fixed before the Competent Authority for submission of relevant documents in compliance of the aforesaid letter on **10.09.2024 at 2:00 p.m.**

Now to come up for further proceedings on **05.12.2024.**

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 444/22

**06.09.2024**

Present : Appellant in person.  
Sh. A.K. Kashyap proxy counsel for the respondent.

Joint request for adjournment is made by both the parties as both the counsels are not available due to some medical exigency.

In the interest of justice put up for purpose already fixed on 03.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 366/18

**06.09.2024**

Present : Sh. Kunal Kalra, Ld counsel for the appellants  
alongwith appellant No.1 & 3 in person.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent.

Adjournment sought by the Ld. counsel for appellants  
due to some personal exigency.

Put up for purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 287/20

**06.09.2024**

Present : Sh. Kunal Kalra, Ld counsel for the appellant  
alongwith appellant in person.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent alongwith Sh. Anil Bansal, AE(B).

Status report filed, copy placed on record.

Adjournment sought by the Ld. counsel for appellant  
due to some personal exigency.

Put up for purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 123/22  
**06.09.2024**

Present :

Ms. Mansi Mehta, Ld counsel for the appellant.

Sh. Pritish Sabharwal, Ld counsel for the respondent joined through VC alongwith Ms. Renu Soni, Nodal Officer present in the court.

Sh. Madan Lal Sharma, Ld. counsel for respondent No.2 & 3.

Sh. Ayush Ld. counsel for respondents No.4,5 & 6 joined through VC.

Reply to the application u/s 5 of the Limitation Act is filed on behalf of respondent No.1.

Reply to the application u/s 5 of the Limitation Act is also filed on behalf of respondent No.3.

Ld. counsel for respondent No.2 submits that they adopt the same reply.

Mr. Ayush, Ld. counsel for respondents No.4 to 6 submits that they have not received copy of the application.

Appellant is directed to supply the same during the course of the day.

Respondents No.4 to 6 are directed to file their reply within one week with advance copy to the opposite parties.

Put up for arguments on the application under Section 5 of the Limitation Act on 04.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 733/24 & 734/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Aditya Raj, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

An application u/s 343 (2) of the DMC Act for seeking urgent listing of the present matter is filed as the appellant is apprehending the demolition in the property in question.

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 the next date of hearing.

Ld. counsel for appellant submits that in para -12 of the appeal they have mentioned that Hon'ble High Court orally directed the standing counsel of MCD that no coercive action be taken against the property for the next four working days. Para No.12 is reproduced as below:

“12 That the said Petition was listed before Hon'ble Mr. Justice Purushaindra Kumr Kaurav on

05.09.2024 being CM App.No.51796 of 2024 in W.P.(C) 12148 of 2024 and upon the directions of the Hon'ble Delhi High Court, the copies of the Demolition/Sealing orders have been supplied on 05.09.2024 in the court itself. The Hon'ble Court orally directed that the Standing Counsel MCD that no coercive action be taken against the suit property for the next four working days. The copy of the order is yet to be uploaded before the official website of Hon'ble High Court of Delhi. The copy of the impugned Sealing Orders dated 07.03.2024 and 30.05.2024 is annexed herewith”

Ms. Renu Soni, Nodal officer MCD on instructions from his office confirmed the oral directions given on 05.09.2024 by the Hon'ble High Court of Delhi.

Ld. counsel for appellant submits that they have not received any show cause notice of demolition order from the respondent department. The copy of the demolition order/sealing order were supplied to them only in the court hearing at the Hon'ble High Court on 05.09.2024 and thereafter they have approached this Tribunal seeking the appropriate remedy.

Ld. counsel submits that in case any coercive action is taken by the department in respect of demolition order the relief sought in the present appeal will become infructuous.

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Accordingly, in view of the above facts and circumstances, status quo be maintained in respect of the property in question till further orders and no coercive action be taken against the subject property.

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 arguments on interim application and appeal on 25.10.2024.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 598/24

**06.09.2024**

**File taken up today on an application for seeking early hearing.**

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

Ld. counsel for appellant submits that respondent department has served the vacation notice dated 05.09.2024 and property can be demolished at time. He further submits that notice to MCD in the present appeal issued for 09.09.2024 and their appeal they have filed documents showing that the property was constructed prior cut of date 01.06.2014. He submits that in case protection is not granted, appeal will be infrutuous.

In view of the aforesaid submissions 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 the purpose already fixed on 09.09.2024.

Copy of this order be given dasti and be also sent to the Respondent Department for information and necessary compliance.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 688/24

**06.09.2024**

**File taken up today on an application under Section 151  
CPC for seeking early hearing.**

Present : Sh. Vinit Trehan, Ld counsel for the appellant.

A list of documents is also placed on record. It is submitted by the Ld. counsel for appellant that they received the vacation notice dated 03.09.2024 and appellant apprehends demolition exercise. It is submitted that in case interim protection is not granted appellant will suffer irreparable loss and injury. Ld. counsel for appellant point out that the copy of property tax register shows the property tax in respect of third floor and fourth floor was paid in the year 2004-05, reflecting that the property is old constructed.

In view of the aforesaid submissions 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 the purpose already fixed on 17.09.2024.

Copy of this order be given dasti and be also sent to the Respondent Department for information and necessary compliance.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 721/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Mahender Kumar, 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 25.10.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 723/24, 724/24, 725/24 & 726/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Parth Mehra, 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 14.10.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 729/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Puran Chand, 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 13.09.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 731/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh. Ayaz Ahmad, 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.

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

Ld. counsel for appellant submits that they have filed present appeal in respect of first floor and second floor of the property in question. He submits that they have not received show cause notice and demolition order passed in the present case and came to know demolition proceedings only through order dated 29.05.2024, passed in Civil Suit bearing no.14752/16 titled "Piyari Mohd. Vs Jam Mohammad ors" pending in the court of Shri Sachin Sood, District Judge-01(Central), THC, Delhi. He submits that the appellant has received vacation notice dated 03.09.2024 which was affixed on the property in question. He submits that the said vacation notice acknowledged that the property in question from ground floor to second floor

is old and occupied. Ld. counsel for appellant submits that protection is not granted at this juncture appellant will suffer irreparable loss and injury as the property is being used for residential purpose.

In view of the aforesaid submissions status quo be maintained in respect of the property in question i.e. first floor and second floor 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.

Accordingly, 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 proceedings on 22.10.2024.

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 451/24

**06.09.2024**

**File taken up today on application under Section 151 seeking early hearing and another application under Order VI Rule 17 CPC.**

Present : Ms. Shachi Jain, Ld counsel for the appellant joined through VC.

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 for appellant has prayed for short adjournment as they are apprehending sealing of the property.

Issue notice of application under Section 151 CPC be issued for 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  
**06.09.2024**

A.No. 440/24

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellent.  
Sh. H.R.Aggarwal, Ld counsel for the respondent.  
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.  
Sh. Shiven Banga, Ld. counsel for the intervener.

An application for impleadment is moved on behalf of Ms. Anupam Khurana. Copy supplied to the appellent. Copy of order dated 08.08.2023 in contempt case no. 170/2021 is placed on record. It is informed by Ld. counsel for appellent as well as impleader that Hon'ble High Court has issued directions to parties to participate in the proceedings in the Appellate Tribunal and take all legal actions as available in law.

Part arguments on the interim application heard.

Ld. counsel for respondent department seeks some time to file status report and take instructions from the department.

Opportunity granted.

AE(B) concerned is directed to remain present in person along with relevant record on the next date of hearing.

Put up for further arguments on interim application on 09.09.2024.

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 566/24

**06.09.2024**

Present : None for the appellant.

None appeared despite various calls.

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

Put up for consideration on 07.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 458/24 & 459/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh.Sunil Manchanda, Ld counsel for the appellant  
joined through VC.

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 15.10.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 435/24

**06.09.2024**

Fresh appeal filed. Be checked and registered.

Present : Sh.Farzana, 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 25.09.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 475/24

**06.09.2024**

Present : None for the appellant.

None appeared despite various calls.

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

Put up for consideration on 23.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 671/24

**06.09.2024**

Present : Sh. Arun Maitri, Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent along with Sh. Kushant Kumar, AE(B). Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

Copy of order passed by the Hon'ble High Court of Delhi in CM(M) 3321/2024 is placed on record wherein the Hon'ble High Court of Delhi permitted to petitioner / appellant to move application for seeking early hearing in respect of stay application.

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

List of documents is filed by the appellant is placed on record. Copy supplied.

Arguments on interim application are addressed at length by both the parties. Arguments could not be concluded as time bound matter in appeal nos. 255/24 & 238/24 are listed today.

Accordingly, 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.

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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.

Accordingly, relist for further arguments on interim application on 11.09.2024.

Copy of this order be given dasti and be also sent to the Respondent Department for information and necessary compliance.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 327/24  
**06.09.2024**

Present : Sh.Prashant Diwan, Ld counsel for the appellant along with appellant.

Sh.R.K.Jain, Ld counsel for the respondent. Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

Vide separate order of even date, the order of demolition order dated 30.04.2024 passed by the Quasi Judicial Authority regarding unauthorized construction in property bearing no. V-106/3, Gali No.16 A, Near Mother Public School, Vijay Park, Maujpur, Delhi-110053 passed in violation of principle of natural justice and is set aside. The matte is remanded back to Quasi Judicial Authority for deciding afresh. The appeal is allowed.

Appellant shall appear before the quasi judicial authority on 04.10.2024 at 3:00 PM.

However, it is clarified that the observations made in this order shall not be construed as observation on merits of this case.

The record of respondent be sent back along with copy of this order. Appeal file be consigned to record room after due compliance.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 285/22

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on 28.11.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 566/22

**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on 13.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 764/13

**06.09.2024**

Present : Sh.R.K.Tarun, Ld counsel for the appellant.  
Sh. Pritiesh Sabbarwal, Ld counsel for the respondent  
joined through VC.

By order dated 25.07.2023, the application seeking condonation of delay was dismissed by this Tribunal. Thereafter, by order dated 21.03.2024 in CM(M) No.1698 / 2023, Hon'ble High Court of Delhi reverse the order and allowed the application for seeking condonation of delay subject to cost of Rs.30,000/-. The cost has already been deposited, copy of receipt is placed on record.

Put up for arguments on the point of appeal on 19.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 160/24

**06.09.2024**

Present : Sh.Saifuddin Shams, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for appellant seeks an adjournment as the W.P.(C) 3089/2024 in respect of the property in question is coming for hearing on 24.09.2024. Ld. counsel for appellant submits that he need take further instructions from the appellant before addressing the arguments in this case.

Accordingly, put up for the purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 178/23 & 154/23

**06.09.2024**

Present : Appellant in person.  
Sh.Mohit Sharma, Ld counsel for the respondent in  
appeal no.178/23.  
Sh. Pritish Sabhharwal, Ld. counsel for the respondent  
in appeal no.154/23.

Adjournment is sought as main counsel is not  
available today.

Put up for the purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 23/22

**06.09.2024**

Present : Appellant in person.  
Sh. Mohit Sharma, Ld counsel for the respondent.

Adjournment is sought as main counsel is not available due to fever.

Put up for the purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 319/22

**06.09.2024**

Present : None for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.  
None for Ld. counsel for the intervener.

None appeared on behalf of appellant despite various calls.

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

Put up for the purpose already fixed on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 719/23 & 720/23

**06.09.2024**

Present : Sh. Kunal Mittal, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the appellant.

Status report is filed, copy supplied.

Appellant submits that they will deposit the misuse charges and seeks adjournment to place on the record the payment receipt.

Put up for further proceedings on 21.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 720/24

**06.09.2024**

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 08.10.2024.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 583/22

**06.09.2024**

Present : Ms. Mamta Sharma, Ld counsel for the appellant.  
Sh.S.Adil Hussain , Ld counsel for the respondent  
along with Sh. Manoj Kumar, AE(B), Rohini zone.  
Sh. M.M.Aggarwal, Ld. counsel for the Intervener.

Status report is filed by the respondent department  
informing that the application for regularization is  
rejected by the department.

An application under Section 151 CPC seeking  
permission to place on record additional documents is  
listed today. Copy supplied.

Put up for arguments on application as well as appeal  
on 20.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 615/16, 636/16, 334/17 & 721/16

**06.09.2024**

Present : Sh. R.K.Solanki , Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent / MCD.

Part arguments heard.

Arguments could not be concluded as time bound  
matter in appeal nos. 255/24 & 238/24 are listed  
today.

Put up for the purpose already fixed on 03.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 357/23

**06.09.2024**

Present : Sh. S.D.Ansari, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent  
respondent no.1.  
None for respondent no.2.  
Sh. Aygush, Ld counsel for the respondent no. 3 to 5  
joined through VC.

An application under Section 5 of Limitation Act  
moved by the appellant is listed today. Copy supplied  
to Ld. counsel for respondent.

Ld. counsel for respondent no. 3 to 5 submits that they  
have not received copy of application.

Appellant is directed to supply the copy of application  
to Ld. counsel for respondent no.3 to 5 during the  
course of the day.

Put up for arguments on application as well as appeal  
on 04.10.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024**

A.No. 440/24  
**06.09.2024**

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. H.R.Aggarwal, Ld counsel for the respondent.  
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.  
Sh. Shiven Banga, Ld. counsel for the intervener.

An application for impleadment is moved on behalf of Ms. Anupam Khurana. Copy supplied to the appellant. Copy of order dated 08.08.2023 in contempt case no. 170/2021 is placed on record. It is informed by Ld. counsel for appellant as well as impleader that Hon'ble High Court has issued directions to parties to participate in the proceedings in the Appellate Tribunal and take all legal actions as available in law.

Part arguments on the interim application heard.

Ld. counsel for respondent department seeks some time to file status report and take instructions from the department.

Opportunity granted.

AE(B) concerned is directed to remain present in person along with relevant record on the next date of hearing.

Put up for further arguments on interim application on 09.09.2024.

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
**06.09.2024** rk