

A.No. 915/24

29.10.2024

Present : Sh. Ayush Gupta, Ld counsel for the appellant joined through VC alongwith Ms. Purna Chaturvedi with appellant No.2 in person.  
Sh. Ashutosh Gupta, Ld counsel for the respondent alongwith Sh. Rajbir Singh AE(B).

Status report is filed by the department, copy supplied. The present appeal was filed by appellant No.1 Smt. Mamta Narayanan and appellant No.2 Sh. Narayanan Rajagopalan. At the time of filing of the appeal, the appeal was signed by Smt. Mamta Narayanan and only her affidavit was filed alongwith the appeal.

On first hearing i.e. 16.10.2024, the court pointed out this deficiency and Ld. counsel for appellant sought adjournment to file affidavit/power of attorney by appellant No.2 and also inform the Court about the LRs of Mr. T.S. Rajagopalan.

In the application filed today, it is informed that the property in question was owned by Mr. T.S. Rajagopalan. The details of the LRs of Mr. T.S. Rajagopalan are not disclosed despite the submissions made by the Ld. counsel for appellant on 16.10.2024.

An application is filed today by appellant No.2 alongwith his affidavit. In the application as well as in

the affidavit, appellant No.2 stated that he is one of the L.R of Mr. T.S. Rajagopalan and there are other L.Rs also. The details of other L.Rs is not disclosed. It is stated that by way of mutual understanding and settlement, appellant No.2 has become the owner of the property. The said settlement deed is also not filed alongwith the application.

In these circumstances, it is clear that the appellant has intentionally suppressed the details of the other L.Rs who are necessary party in the matter and has also not filed the settlement deed / agreement on record.

Accordingly, put up for arguments on maintainability of the appeal in the present form on 10.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
29.10.2024