

A.No. **186/18**

25.11.2024

Present : Sh. Ankit Khatri, Ld counsel for the appellant.
Sh. Umang Mittal, Ld counsel for the respondent.

Arguments on application seeking condonation of delay heard.

It is submitted by Ld. counsel for the appellant that they received notice dated 22.02.2018 on 27.02.2018 and thereafter they filed the present appeal. He submits that delay is unintentional.

Ld. counsel for the MCD opposes the application.

Arguments heard and record perused. He submits that the appellant has acknowledged the receipt of show cause and demolition order and was very much aware about the proceedings and no reasonable cause of delay has been explained.

Arguments heard and record perused.

I find merits in submissions made by Ld. counsel for the MCD. The appellant in his application has acknowledged the service of the show cause notice as well as demolition action which had been carried out in the month of November 2017 but did not avail any legal remedy. The present appeal has been filed only in the month of March, 2018.

The appellant is impugning the demolition order in the present case and has raised grounds which need to

be adjudicated on merits. However, on the other hand, it is prima-facie clear that appellant was aware about the demolition proceedings. Accordingly, in view of the overall facts and circumstances the application is allowed and the delay is condoned subject to cost of Rs.10,000/- to be deposited with the Registry of this Tribunal.

Put up for arguments on the point of appeal on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 184/18

25.11.2024

Present : Sh. Deepak Rikhari, Ld counsel for the appellant.
Sh. Umang Mittal, Ld counsel for the respondent.

Arguments on application seeking condonation of delay heard.

It is submitted by Ld. counsel for the appellant that there is a delay of 03 days in filing the present appeal. It is stated that due to some personal difficulty of the earlier counsel, the appeal could not be filed on time and the delay is unintentional.

Ld. counsel for the MCD opposes the application.

Arguments heard and record perused.

Perusal of record shows that there is nothing on record to show in what manner and on which date the impugned demolition order has been served upon the appellant. Prima facie, the date of service on demolition order is not clear. In these circumstances, benefit needs to be extended to the appellant. The appellant has been able to show sufficient cause for condonation of delay.

Accordingly, the application seeking condonation is allowed and delay is condoned.

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

Put up for arguments on the point of appeal on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 744/24

25.11.2024

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

An application is moved on behalf of appellant under Section 151 of CPC seeking modification to the application for condonation of delay.

Ld. counsel for respondent opposes the application and submits that there is no provision to amend the application.

Ld. counsel for the appellant seeks permission to withdraw the present application and submits that appellant will move fresh application seeking condonation of delay.

Accordingly, application under Section 151 of CPC moved on behalf of the appellant seeking modification to the application is dismissed as withdrawn.

Re-list for purpose fixed on **06.03.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 981/24

25.11.2024

Present : Sh. Harish Kumar Gupta, Ld. counsel for the appellant.
Ms. Shalini Chikara, Ld. counsel for the respondent / MCD joined through VC.

Ld. counsel for the MCD requests sometime to file status report. Opportunity granted.

Part arguments heard.

Perusal of the record shows that the appellant has impugned the sanctioned order dated 04.07.2024 for installation of lift in the present matter. The applicants / individuals in whose favour the sanction order has been granted are not impleaded in the present case. Their impleadment is necessary in the present matter to adjudicate the issue as they are necessary parties.

Accordingly, exercising power under Order I Rule 10 CPC, the Tribunal hereby impleads Mr. Sanjeev Sarin, Smt. Shakuntla Tiwari, Smt. Sangeeta Lakhanpal and Smt. Radhika Pabreja R/o Flats Nos. A-67, A-69, A-71 & A-72, Delhi Citizen CGHS Ltd. Plot No. 24, Sector-13, Rohini, Delhi -110085 as respondents in the present matter.

The appellant is directed to file an amended memo of parties in this regard by the next date of hearing.

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Notice be issued to respondents namely Mr. Sanjeev Sarin, Smt. Shakuntla Tiwari, Smt. Sangeeta Lakhanpal and Smt. Radhika Pabreja for the next date of hearing.

Put up for appearance of respondents and arguments on the point of appeal on **16.01.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 944/24

25.11.2024

Present : Sh. Rajesh Pandey, Ld. counsel for the appellant.
Ms. Mehak Arora, Ld. counsel for respondent
alongwith Sh. Mukesh Gaur, AE(B). Memo of
appearance filed, same is taken on record.

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

Respondent MCD seeks time to file status report.

Ld. counsel for appellant seeks some time to inspect
the record.

Put up for filing status report, arguments on interim
application and appeal on 24.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 358/24

25.11.2024

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

It is submitted that earlier counsel Sh. Rama Shankar who was dealing with the matter has died.

Sh. Akshay, Ld. counsel states that he has been recently engaged in the present case and seeks short adjournment to inspect the record before addressing further arguments.

Put up for arguments on interim application as well as on the point of appeal on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 946/24

25.11.2024

Present : Sh. Rambir Chauhan, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld counsel for the respondent.

Ld. counsel for respondent DDA seeks sometime to take instructions for filing status report as well as record in the matter and seeks short adjournment.

Opportunity granted.

At joint request, the matter is re-list for arguments on interim application as well as on the point of appeal on

12.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 483/24

25.11.2024

Present : Sh. Rakesh Tanwar, Ld counsel for the appellant.
Sh. Varun Sharma, Ld counsel for the respondent
alongwith Sh. Ajay Kumar, AE(B). Fresh Vakalatnama
filed, same is taken on record.

Status report is filed by the department, copy supplied.

Record is not filed by the respondent MCD.

Record be produced before the court prior to the next
date of hearing.

Put up for arguments on application and appeal on
21.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 607/24

25.11.2024

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

Ld. counsel for the respondent MCD submits that the present appeal has been filed impugning the vacation order and is not maintainable in the present form.

Ld. counsel for the appellant seeks short adjournment to take instructions in this regard.

Put up for further arguments on the aforesaid objection, maintainability as well as arguments on interim application and on the point of appeal on **21.01.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024(s)

A.No. 745/24

25.11.2024

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

Part arguments heard.

Ld. counsel for the appellant submits that (at P-88) of the appeal, they have already filed the relevant order of the proceedings before the Hon'ble High Court of Delhi. He seeks short adjournment to file a detail affidavit in support of application seeking condonation of delay.

Re-list for purpose fixed on 06.03.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 947/24

25.11.2024

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

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

Arguments on interim application as well as appeal heard.

Put up for orders on 27.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 811/24

25.11.2024

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

An application is moved on behalf of appellant under Section 5 of the Limitation Act which is listed for today. An adjournment is sought on behalf of the respondent to file reply to the said application as Mr. Anubhav Gupta, Ld. counsel for the respondent MCD is not available today due to some personal difficulty.

In the interest of justice, one more opportunity is granted to file reply. Advance copy be supplied to the opposite party.

Put up for arguments on condonation application, interim application as well as on the point of appeal on **10.01.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 810/24 & 812/24

25.11.2024

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

An application is moved on behalf of appellant under Section 5 of the Limitation Act which is listed for today. Reply is filed by the respondent MCD to the application under Section 5 of the Limitation Act. Copy supplied.

Put up for arguments on condonation application, interim application as well as on the point of appeal on **10.01.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 667/24

25.11.2024

Present : Ld. Proxy counsel for the appellant.
Sh. Sagar Dhama, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as the main counsel Mr. Yashdeep Sethi is not available due to a ceremony in his family.

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

Put up for arguments on interim application as well as on the point of appeal on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 573/24

25.11.2024

Present : None for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

No adverse order is being passed today in the interest of justice as VC is not functioning properly.

Put up for purpose fixed on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 803/23

25.11.2024

Present : Ms. Shachi Jain, Ld counsel for the appellant joined through VC.
Sh. Atul Kumar, Ld counsel for the respondent joined through VC.

Arguments on application seeking condonation of delay heard.

Ld. counsel for the appellant submits that there is around one week delay in filing the present appeal. She submits that the appellant was preparing the case and seeking instructions in the matter and therefore, the delay has occurred.

Ld. counsel for the MCD submits that the demolition order has been served through postal mode and service report shows that the article was delivered on 29.11.2023.

Arguments heard and record perused.

There is a delay of around one week in filing the present appeal. The appellant is impugning the demolition order and has raised grounds which need to be considered on merits.

At this juncture, the appellant is able to show sufficient cause for condoning the delay. Accordingly, in view of the overall facts and circumstances the application

seeking condonation is allowed and delay is condoned.

Put up for arguments on interim application as well as on the point of appeal on **04.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 802/23

25.11.2024

Present : Sh. Vineet Hans, Ld counsel for the appellant.
Sh. V. K. Aggarwal , Ld counsel for the respondents
No. 1 & 2.
Dr. Anu Solanki, Ld. counsel for respondent no.3.

Reply to the appeal is filed by respondent no.3. Copy
supplied to Ld. counsel for appellant.

Status report is filed by the MCD. Copy supplied.

Put up for arguments on interim application as well as
on the point of appeal on **01.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 366/20

25.11.2024

Present : Sh. Vikas Chhabra, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.

Part arguments on application seeking condonation of delay heard.

The appellant is stated to have purchased the property in question in the year 2019.

Ld. counsel for the respondent MCD seeks sometime to inspect the record and clarify the status in respect of the participation made by the previous owner of the property in the proceedings before the Quasi Judicial Authority.

Opportunity granted.

Put up for arguments on the application seeking condonation of delay on **07.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 390/19

25.11.2024

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

Status report is filed by the MCD in respect of the verification on electricity bills from M/s Tata Power Delhi Distribution Limited. Copy supplied.

An adjournment is sought on behalf of respondent MCD as main counsel Mr. R. K. Kashyap is not available today due to some personal exigency.

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

Put up for arguments on interim application as well as on the point of appeal on **17.03.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 185/18

25.11.2024

Present : Sh. Deepak Rikhari, Ld counsel for the appellant.
Ms. Priya Marwah, Ld counsel for the respondent.

Arguments on application seeking condonation of delay heard.

It is submitted by Ld. counsel for the appellant that there is a delay of 03 days in filing the present appeal. It is stated that due to some personal difficulty of the earlier counsel, the appeal could not be filed on time and the delay is unintentional.

Ld. counsel for the MCD opposes the application.

Arguments heard and record perused.

Perusal of record shows that there is nothing on record to show in what manner and on which date the impugned demolition order has been served upon the appellant. Prima facie, the date of service on demolition order is not clear. In these circumstances, benefit needs to be extended to the appellant. The appellant has been able to show sufficient cause for condonation of delay.

Accordingly, the application seeking condonation is allowed and delay is condoned.

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

Put up for arguments on the point of appeal on **02.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 (s)

A.No. 865/24 & 868/24

25.11.2024

Statement of Arjun Singh Bawa, Ld. counsel for appellant.

At Bar

I am the counsel for appellant in the present appeal. I have instructions to withdraw the present appeal as appellant has already moved a regularization application with the respondent MCD. Respondent may be directed to decide the regularization application on merits after giving opportunity of hearing to the appellant. Appellant may be permitted to withdraw the present appeal.

RO&AC

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 407/24, 408/24, 409/24

25.11.2024

Sh. Ashish Sharma, Ld counsel for the proposed
applicant

On SA

I may be allowed to withdraw my application moved
u/s 151 CPC seeking inspection of the aforesaid
appeals, the same may be dismissed as withdrawn.

RO&AC

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 942/24

25.11.2024

Present : Sh. Jitender Saini, Ld. counsel for the appellant.
Sh. Atul Tanwar, Ld. counsel for respondent alongwith
Sh. Lalit Goel, AE(B).

Status report is filed by the department, copy supplied.
Part arguments on the interim application and appeal
heard.

Ld. counsel for the appellant seeks an adjournment to
file some more documents in support of the appeal.
Re-list for further arguments on interim application and
appeal on 13.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 652/24

25.11.2024

Present : Sh. R.K. Sharma, Ld counsel for the appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent
alongwith AE(B) concerned.

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

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

Part arguments on interim application seeking stay as
well as appeal heard.

Ld. counsel for respondent MCD seeks an
adjournment to verify the property tax return and
seeks further instructions. He submits that protection
under National Capital Territory of Delhi Laws (Special
Provision) Second Amendment, 2011 will be available
to the appellant in case status quo is not breached
and the covered area after cutoff date continues to
the same as has been declared in the property tax
return at page-35 of the appeal in respect of first floor
and second floor of the property.

Ld. counsel for appellant seeks an adjournment to file
an affidavit of the appellant declaring the covered area
of the first floor and second floor on the date of
booking. He seeks some time to take instructions for

filing the latest property tax return of the first floor and second floor.

Put up for further arguments on interim application and appeal on **05.03.2025**.

Interim orders to continue till the next date of hearing.

It is clarified that the interim protection is only for the first floor and second floor and not in respect of any structure which has been constructed above second floor of the property in question.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 730/24

25.11.2024

Present : Sh. M.S. Saini, Ld counsel for the appellant.
Sh. Varun Sharma, Ld counsel for the respondent
alongwith Sh. Piyush Jain, AE(B). vn.

An application under Section 5 of the Limitation Act moved by the appellant is listed today.

Ld. counsel for respondent MCD submits that they have not received the copy of application. Copy be supplied to them during the course of the day.

Another application under Order 1 Rule 10 CPC moved by the intervener Mrs. Varsha Bholra is listed today. Copy supplied to appellant.

Before proceeding further to decide the application under Order 1 Rule 10 CPC, it will be prudent to hear arguments on application seeking condonation of delay.

Accordingly matter be listed for reply and arguments on an application seeking condonation of delay on **19.02.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 481/22

25.11.2024

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

Part arguments heard.

Ld. counsel for respondent MCD seeks an adjournment to address clarifications sought by my Ld. Predecessor vide order dated 17.05.2024.

The then officers concerned are directed to remain present in person before the Tribunal on the next date of hearing.

Put up for further arguments on the point of interim application and appeal on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 677/22

25.11.2024

Present : Sh. Satyender Kumar Singh, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.

There is some technical glitch in the Video Conferencing today and the Court is not able to hear voice from the remote end due to which arguments in the matter cannot be concluded today.

Re-list for arguments on application seeking condonation of delay as well as appeal on 05.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 892/18 & 893/18

25.11.2024

Present : None for the appellant.
Sh. Sanjay Sharma, Ld counsel for the respondent
joined through VC.

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

Put up for further proceedings on 24.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 536/24

25.11.2024

Present : Sh. Rajiv Bajaj, Ld. counsel for respondent joined through VC alongwith Ms. Shivani Mamdia, Advocate present in the Court.
Sh. R.K. Jain, Ld counsel for the respondent.

Copy of status report dated 15.10.2024 is supplied to Ms. Shvani Mamdia, proxy counsel for appellant today.

Ld. counsel for appellant seeks an adjournment to peruse the report and inspect the record of the MCD before addressing arguments in the matter. Opportunity granted.

Re-list for arguments on the point of appeal on 02.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 595/24 & 596/24

25.11.2024

Present : Proxy counsel for Ld. counsel for the appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent with Sh. Nishant Rohilla, Advocate in appeal No.595/24.

Sh. Atul Tanwar, Ld. counsel for respondent in appeal No.596/24.

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

Perusal of the record shows that on last of date of hearing also an adjournment was sought by the appellant. Appellant is given last and final opportunity to address the arguments in the matter failing which this Tribunal shall be constrained to reconsider the interim protection granted in the matter.

Relist for arguments on interim application and appeal on 05.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 799/24

25.11.2024

Present : Sh. Ayush Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
with Sh. Nishant Rohilla, Advocate.

Ld. counsel for appellant submits that though in the status report dated 04.10.2024 MCD has mentioned about the booking of Khasra No.478/396/87/1 Village Masoodpur, New Delhi but the show cause notice and demolition order shows that the said Khasra Numbers are not mentioned therein.

Ld. counsel for respondent MCD seeks an adjournment to take instructions from the department. The then AE(B) and JE(B) concerned who have booked the property are directed to remain present in person on next date of hearing to clarify the issue.
Put up for further proceedings on 11.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

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

25.11.2024

Present : Sh. Ayush Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
with Sh. Nishant Rohilla, Advocate.

Put up for consideration on 11.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 479/24, 622/24 & 623/24

25.11.2024

Present : Sh.Manoj Kumar and Sh. Devender SinghVikal , Ld
counsel for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the
respondent.

Ms. Renu Soni, Nodal officer informs that their
counsel Mr. S. Adil Hussain is not available today as
he is blessed with child.

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

Put up for arguments on the point of appeal on
02.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 148/24 & 149/24

25.11.2024

Present : Ld. proxy counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent
in appeal No.148/16.
Sh. Ashutosh Gupta, Ld. counsel for respondent with
Sh. Nishant Rohilla, Advocate.

It is informed that Ld. counsel for appellant Mr. Anil
Kumar is not available today due to some medical
exigencies and bad health.

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

Put up for purpose already fixed on 03.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 714/22

25.11.2024

Present : Sh. Vineet Kumar, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
with Mr. Nishant Rohilla, Advocate.

Part arguments heard.

Ld. counsel for appellant submits that he wants to inspect the file to highlight some record and seeks a short adjournment to address further arguments in the matter.

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

Re-list for further arguments on the point of interim application as well as appeal on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 212/20

25.11.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent
alongwith Sh. Sanjay Hingorani, AE(B).

Ld. counsel for appellant submits that the respondent MCD has already placed on record the second copy of the demolition order at page 112 of their record. He submits that due to non production of the original order the hearing is getting delayed.

He submits that appellant has no objection in case appellant is proceeded further on the basis of second copy.

Ld. counsel for respondent seeks adjournment to file status report clarifying as to why the original order could not be placed on record.

Put up for arguments on the point of interim application and appeal on 03.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024 J

A.No. 471/16 & 295/16

25.11.2024

Present : Sh. R.K. Mittal and Ms. Bharti Kapil, Ld counsel for the appellant.
Sh. Avishek Kumar and Sh. V.K. Aggarwal, Ld counsel for the respondent.

An application u/s 151 CPC alongwith list of document placed on record by Ld. counsel for appellant, copy supplied.

Ld. counsel for respondent MCD seeks some time to file reply and peruse the documents.

Put up for reply and arguments on the aforesaid application, application seeking condonation of delay as well as appeal on 07.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 202/17

25.11.2024

Present : Sh. Rajesh Kumar, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for appellant seeks an adjournment to inspect the record before addressing further arguments in the matter. Opportunity granted.

Put up for further arguments on the point of appeal on 04.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024

A.No. 865/24 & 868/24
25.11.2024

Present : Sh. Arjun Singh Bawa, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
with Shri Nishant Rohilla, Advocate.

Ld. counsel for appellant submits that he has instructions to withdraw the present appeal as appellant has already moved a regularization application. He submits the regularization application be decided on merits after giving appellant an opportunity of hearing.

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

Ld. counsel for respondent MCD does not opposes the said request.

The respondent MCD is directed to consider the regularization application of the appellant on merits and shall provide opportunity of hearing to the appellant before deciding the application.

Ld. counsel for appellant submits that notice can be served on appellant through his office.

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
25.11.2024

A.No. 407/24, 408/24 & 409/24

25.11.2024

Present : Sh. Ashish Sharma, Ld counsel for the proposed applicant.

File taken up today on an application moved u/s 151 CPC moved by him seeking inspection of the present appeals.

After some arguments, Ld. counsel for applicant submits that he has instructions to withdraw the present application as applicant is not a party in the matter.

Accordingly, the application filed by the applicant seeking inspection of file is dismissed as withdrawn.

Put up on date already fixed i.e. **20.02.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
25.11.2024