

A.No. 1029/24 & 1030/24

27.11.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. R.K. 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 alongwith the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on 17.12.2024.

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

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 843/24

27.11.2024

Present : None for the appellant.

None has appeared on behalf of appellant in the court or through VC since morning despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 3.30 PM. The present appeal is dismissed in default.

File be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 844/24

27.11.2024

Present : None for the appellant.

None has appeared on behalf of appellant in the court or through VC since morning despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 3.30 PM. The present appeal is dismissed in default.

File be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 845/24

27.11.2024

Present : None for the appellant.

None has appeared on behalf of appellant in the court or through VC since morning despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 3.30 PM. The present appeal is dismissed in default.

File be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 846/24

27.11.2024

Present : None for the appellant.

None has appeared on behalf of appellant in the court or through VC since morning despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 3.30 PM. The present appeal is dismissed in default.

File be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 829/24
27.11.2024

Present : Sh. Nalin Tripathi, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent
alongwith Sh. Arun Rawat, AE(B).

Part arguments heard.

AE(B) Sh. Arun Rawat seeks an adjournment to clarify whether the property in question falls in unauthorized colony or unauthorized regularized colony.

The understanding about the aforesaid issue is important from the point of view of cutoff date under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act. He is directed to file status report in that regard.

Ld. counsel for the appellant submits that protection be granted till next date of hearing.

Ld. counsel for respondent opposes the said request. He submits that the interim application be decided on merits. However, on instructions from the department he assures that the respondent will not carry out any demolition action against the property in question till next date of hearing.

Put up for arguments on an application seeking condonation of delay, interim application seeking stay as well as appeal on **12.02.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 1183/15

27.11.2024

Present : Sh. Tushar Singh and Sh. Harsh Kumar, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent joined through VC.

It is submitted by Ld. counsel for the respondent that the verification of documents from Delhi Jal Board as well as MTNL is still awaited. Alongwith status report dated 21.08.2014 letters written to both the departments have been placed on record. It is clear that despite the earnest efforts made by the MCD officials Delhi Jal Board and MTNL are not providing the relevant details.

In these circumstances, notice be issued to Secretary/Managing Director of Delhi Jal Board as well as MTNL to depute a representative to appear before the Tribunal on next date of hearing and clarify the status of the documents in respect of which verification has been requested.

Copy of the letters written to Delhi Jal Board as well as MTNL be also annexed with the notice.

Copy of this order be also sent alongwith the notice.

Put up for further proceedings on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 994/24

27.11.2024

Present : Sh. Harkrishan Dass Nijhawan, appellant in person.

Arguments on the point of appeal heard.

It is submitted by the appellant that before filing the present appeal he has filed Public Interest Litigation i.e. W.P.(C) 14193/2024. The said petition was disposed off vide order dated 05.11.2024 with the following directions:

“5. In the light of the aforesaid, the writ petition is, accordingly, disposed of as not pressed with liberty to the appellant to approach the learned Appellate Tribunal by way of an appeal under Section 347B of the Act. Taking into account that the appellant had earlier also approached this Court by way of W.P.(C) 5210/2024, which petition was disposed of as withdrawn with liberty to the petitioner to make a representation to the respondents, we direct that in case, the petitioner/Organisation prefers an appeal assailing the sanction order dated 18.02.2022, within a period of two weeks from today, the same will not be considered on merits and will not be rejected on the ground of delay. It is however made clear that this Court has not expressed any opinion on the merits of the rival submissions of the parties.

6. Needless to state, in case, the petitioner is aggrieved by any orders passed by the learned Appellate Tribunal, it will be open for the petitioner to seek legal recourse as per law.”

It is submitted by the appellant that he is impugning the layout plan dated 18.02.2022 wherein the amalgamation of seven residential plots of Western Extension Area Plotted Development have been approved for amalgamation with DCM Group Housing Residential Complex at Kishan Ganj, Delhi. He submits that the said approval has been done in violation of law as stated in the grounds of appeal. In appeal there are allegations of encroachment of public road, misrepresentation of property address as New Rohtak Road instead of Kishan Ganj, misrepresentation in respect of seven residential plots of Western Extension Area etc.

It is submitted that Respondent No.3 is the Architects/Engineers/Project Managers who have misrepresented and submitted the layout plan on behalf of Respondent Nos.4 to 6 before the MCD for approval and Respondent Nos. 4 to 6 are stated to be the owners/ builders/Developers of the project.

Issue notice of interim application(s) as well as appeal to the respondent No. 1 and 2 through concerned

-3-

Chief Law Officer. Notice be also issued to respondent Nos. 3 to 6.

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

Put up for filing of status report, record and arguments on appeal on 06.12.2024.

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

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 822/24

27.11.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Mehak Arora, Ld counsel for the respondent.

Copy of the order dated 14.10.2024 passed in W.P.(C) 12402/2021 titled Bir Singh Vs NCT of Delhi & Ors. is placed on record. It is informed that the said writ petition is already disposed off by the Hon'ble High Court of Delhi with the direction that owners /occupants of the said property may approach before this Tribunal. It is also informed that there is no embargo in respect of the present proceedings as the said writ petition is already disposed off.

Part arguments on impugning demolition order heard. The then officer concerned who booked the property is directed to remain present in person on next date of hearing.

Put up for further arguments on the point of clarification, arguments on an application seeking condonation of delay as well as appeal on **19.02.2025**. Status quo to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 821/24

27.11.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Mehak Arora, Ld counsel for the respondent.

Copy of the order dated 14.10.2024 passed in W.P.(C) 12402/2021 titled Bir Singh Vs NCT of Delhi & Ors. is placed on record. It is informed that the said writ petition is already disposed off by the Hon'ble High Court of Delhi with the direction that owners /occupants of the said property may approach before this Tribunal. It is also informed that there is no embargo in respect of the present proceedings as the said writ petition is already disposed off.

Part arguments on impugning sealing order heard.

Ld. counsel for the appellant submits that the sealing proceedings have been done without service of any notice and without providing any hearing to the appellant. He submits that there is no service report on record.

Ld. counsel for respondent submits that the Tribunal cannot adjudicate the matter in respect of the sealing proceedings as the sealing has been carried out pursuant to the directions issued by the Hon'ble Monitoring Committee.

Ld. counsel for respondent seeks some time to take instructions in that regard.

Respondent MCD is also directed to file status report clarifying the said aspect.

Officer concerned is directed to remain present in person on next date of hearing.

Put up for further arguments on the point of clarification, arguments on an application seeking condonation of delay as well as appeal on **19.02.2025**. Status quo be maintained till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 316/24 & 317/24

27.11.2024

Present : Sh. Prateek Chaudhary with Sh Ravinder Kumar and Kunal Dabas, Ld counsels for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent in appeal No.316/24.
Sh. Sagar Dhama, Ld. counsel for the respondent in appeal No.317/24.

Part arguments on the point of appeal heard.

During the course of arguments Ld. counsel for appellant has highlighted the site plans which are part of various sale deed. The assistance of the then officer concerned is required to appreciate those site plans. Accordingly the then officer concerned is directed to remain present in person on the next date of hearing.

Put up for further arguments on the point of appeal on **20.01.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 80/23

27.11.2024

Present : Sh. Ashish Chauhan, Ld counsel for the appellant.
Ms.Praveen Sharma, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

During the course of arguments, the appellant is relying upon page No.3/N of the MCD record, a copy of which is placed at page No.125 of the appeal. The record filed by the MCD before the Tribunal does not have that file noting.

Ld. counsel for MCD seeks an adjournment to clarify the status in that regard.

Put up for further arguments on the point of interim application and appeal on **17.02.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 343/24

27.11.2024

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

Part arguments on the point of appeal heard.

Put up with connected appeal for further arguments on
17.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 571/24 & 572/24

27.11.2024

Present : None for the appellant.
 Sh. Atul Tanwar, Ld counsel for the respondent.

None has appeared on behalf of the appellant in the court or through VC.

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

Put up for purpose already fixed on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 290/20, 291/20 & 394/20

27.11.2024

Present : Sh. I.S. Chauhan, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC.

It is already lunch time. Ld. counsel for the appellant submits that due to some family function he is not available in post lunch session.

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

Put up for arguments on the point of appeal on 07.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 233/17 & 234/17

27.11.2024

Present : Sh. Gurvinder Singh, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal No.234/17.
Ms. Praveen Sharma, Ld. counsel for respondent in appeal No.234/17.

Ld. counsel for the appellant submits that he has recently engaged in the matter and seeks adjournment to inspect the record before addressing the arguments.

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

Re-list for arguments on the point of appeal on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 410/22

27.11.2024

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

Arguments on the point of appeal are addressed by the Ld. counsel for appellant.

Arguments could not be concluded today as Mr. V.K. Aggarwal, Ld. counsel for respondent MCD is unavailable today due to some personal exigencies.

In the interest of justice respondent MCD is given one last and final opportunity to address the arguments in the matter.

Re-list for further arguments on the point of interim application and appeal on **21.01.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 01/20

27.11.2024

Present : Sh. Mohit Chaudhary, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
alongwith Sh. Sumit Chahal, AZI/City SP Zone.

In the present case the directions were issued by this Tribunal for verification of the house tax receipt which are relied by the appellant in support of his case.

MCD has filed a status report informing that a circular dated 14.10.2024 has been already issued to all Joint Assessor & Collectors of all the Zones as well as Head Quarter/MCD to direct the concerned area inspectors working in their office to search the relevant G-8 receipts, PTR and Challan in their record and submit the same to the office of Joint Assessor & Collector, City SP Zone. It is informed that despite issuance of the said circular no record has been received so far.

Due to delay in verification of the aforesaid tax receipts the matter is getting delayed. The office of the Joint Assessor & Collector has already made their earnest efforts and have issued the circular but still the concerned department are not replying and sharing the record.

In these circumstances, the Worthy Commissioner, MCD is requested to use his good office and issue

directions to the concerned Head of the Department to look into the issue and expedite the verification / submission of documents in the present matter.

Put up for further proceedings on 18.03.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 223/15

27.11.2024

Present : Ms. Aditi Aggarwal, Ld counsel for the appellant joined through VC.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

The then AE(B) who booked the property as well as JE(B) Mr. Nitin Mann, Keshav Puram Zone are directed to remain present in person on next date of hearing.

Put up for further arguments on appeal on 07.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 783/13

27.11.2024

Present : Ms.Akansha Anand, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of the
respondent alongwith Sh. Shalender, AE(B).

Mr. Shalender AE(B) submits that he has recently joined in the department and needs some time to verify the record to clarify the position in respect of directions, if any of the Hon'ble Monitoring Committee as well as the status regarding the compliance of direction of the Hon'ble Supreme Court of India under Step-I, Step-II and Step-III. Opportunity granted.

Put up for filing status report on or before the next date of hearing and for further proceedings on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 J

A.No. 882/17

27.11.2024

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

An adjournment is sought on behalf of the appellant as main counsel Sh. Sunil Rana is un-available today due to bad health.

Put up for purpose fixed on 07.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 138/24

27.11.2024

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

Vide separate judgment 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, be returned along with copy of this order and appeal file be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 947/24

27.11.2024

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

Vide separate judgment 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, be returned along with copy of this order and appeal file be consigned to record room.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 1036/24

27.11.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Mukesh Bhardwaj , Ld. counsel for the appellant.

Part arguments heard.

Ld. counsel for appellant seeks some time to file some additional documents in support of their matter.

Put up for consideration on 28.11.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 1037/24 & 1038/24

27.11.2024

Fresh appeal filed. Be checked and registered.

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

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

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

Put up for arguments on interim application(s) and appeal on 19.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 1014/24

27.11.2024

Present : Sh. Rahul Kumar Sharma, Ld counsel for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD along with Sh. Arun Rawat, AE(B).

Status report is filed on behalf of respondent department. Copy supplied.

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

Part arguments heard.

Ld. counsel for appellant seeks an adjournment to file some additional documents in support of their appeal.

Opportunity granted.

Put up for arguments on interim application and appeal on 17.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 934/24

27.11.2024

Present : Sh. Anuj Kumar, Ld counsel for the appellant along with Sh. Sachin Tanwar, Advocate.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Dharamraj Meena, AE(B).

Status report is filed on behalf of respondent department. Copy supplied.

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

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

Put up for arguments on interim application and appeal on 10.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 1000/24

27.11.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Nalin Tripathi , 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 arguments on interim application(s) and appeal on 12.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 956/24

27.11.2024

Present : Sh. Raj Kumar Chandiwal , Ld counsel for the
appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed on behalf of respondent
department. Copy supplied.

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

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

Put up for arguments on interim application and
appeal on 04.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 470/24

27.11.2024

Present : Sh. Sidharth Mullick, Proxy counsel for the appellant joined through VC.
Sh. Pritesh Sabbharwal, Ld. Counsel for the respondent joined through VC.

Ld. counsel for respondent, MCD submits that they will file status report during the course of the day. Copy be supplied to the appellant also.

Ld. counsel for appellant submits that they wish to inspect the record before addressing arguments in the matter.

Put up for arguments on interim application and appeal on 12.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 662/24

27.11.2024

Present : Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
along with Sh. R.D.Chaudhary, AE(B).

Status report is filed on behalf of respondent
department. Copy supplied.

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

Ld. counsel for appellant submits that the present
appeal has been filed through one of deceased LR
Mrs. Reena Giri and details of other LRs are not
disclosed in the petition.

Adjournment is sought on behalf of appellant as main
counsel Sh. Sanjay met with an accident and is not
available today.

In the interest of justice, one more opportunity is
granted to appellant for clarification and argue the
matter.

Put up for arguments on interim application and
appeal on 21.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 603/24 & 613/24

27.11.2024

Present : Sh. Sunil Chauhan, Ld counsel for the appellant.
Sh. Ashutosh Gupa, Ld counsel for the respondent.

Ld. counsel for respondent submits that concerned AE(B) is busy in a hearing before the Hon'ble High Court of Delhi and will appear on the next date of hearing.

Part arguments heard.

During the course of arguments Ld. counsel for appellant submits that they want to file separate appeal impugning the demolition order dated 29.01.2024 which has been passed in respect to stilt to first floor of property in question. He submits that in case the appeal in respect of said order is not filed, the proceedings in the present case will become futile. Appellant is at liberty to take appropriate steps as per law.

Put up for arguments on interim application and appeal on 22.01.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 144/24

27.11.2024

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

Ld. counsel for appellant seeks an adjournment to file an affidavit in compliance of previous order.

Opportunity granted.

Put up for the purpose already fixed on 29.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 428/24

27.11.2024

Present : Sh. Kunal Madan , Ld counsel for the appellant joined through VC along with Sh. Piyush Jain, Advocate present in the Tribunal.

Sh. Ashutosh Gupta, Ld. counsel for the respondent.

An application(s) under Section 151 CPC is filed on behalf of appellant for summoning of officials of BSES (Bombay). Copy supplied.

Put up for reply and argument on aforesaid application and interim application as well appeal on 04.12.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024

A.No. 258/24

27.11.2024

Present : Appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as main counsel Sh. Sh. S.N.Tiwari is not available today due to unwell.

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

Put up for arguments on interim application and appeal on 03.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 216/23

27.11.2024

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

An adjournment is sought on behalf of respondent as
main counsel Ms. Bhavya Chauhan is unavailable
today due to death in her family.

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

Put up for arguments on 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
27.11.2024 rk

A.No. 68/22

27.11.2024

Present : Sh. Sanjay Deewan, Ld counsel for the appellant joined through VC.
Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.
Sh. Vikas, Proxy counsel for the intervener.

Part arguments on the point of appeal heard at length from Ld. counsel for appellant.

Ld. counsel for respondent, MCD submits that though he is appearing in the matter but matter is not marked to him as yet.

Perusal of record shows that advocate Sh. Ravi Ranjan is appearing in the matter since last many hearings and the Tribunal was not informed about the status of non-appointment of advocate in the matter. Only when the matter is part heard and Ld. counsel for MCD has to argue the matter, the position in respect of non-appointment of Ld. counsel is apprised.

The CLO is requested to look into the issue and take appropriate steps.

Put up for arguments on the point of appeal on 06.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 67/22

27.11.2024

Present : Sh. Sanajay Deewan, Ld counsel for the appellant joined through VC.
Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.
Sh. Vikas, Proxy counsel for the intervener.

Part arguments on application under Order 1 Rule 10 CPC heard.

Adjournment is sought on behalf of applicant as main counsel Sh. Summit Srivastava is not available today. It is stated in the application under Order 1 Rule 10 CPC that structure of entire property is very old and it cannot bear additional load of further construction.

Ld. counsel for respondent seeks an adjournment to clarify the position as provided in Section 3(3)(b) of the National Capital Territory of Delhi Laws (Special Provision) Second Amendment, 2011 in respect of structural safety.

Concerned AE(B) is directed to appear in person before the Tribunal on the next date of hearing.

Put up for further arguments on application under Order 1 Rule 10 CPC and interim application as well as appeal on 06.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 374/20 & 376/20

27.11.2024

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.
Sh. Shitij Vats, Ld counsel for the respondent.

Ld. counsel for appellant informs that on 22.12.2023 they have already filed list of documents containing property tax return for the year 2005-06.

Ld. counsel for respondent submits in their status report they have clarified that property tax return filed on record by appellant is not available in record. It is stated that there is no entry of G-8 receipt no.507355 in demand and collection register.

Ld. counsel for appellant submits that he has obtained this document from previous owner Ms. Neerja Gambhir.

Appellant is directed to produce the original documents in the Tribunal on the next date of hearing.

Put up for further proceedings on 04.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 538/22 & 540/22

27.11.2024

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

List of documents is filed on behalf of appellant. Copy
supplied.

Part arguments heard.

Arguments could not be concluded today as Mr.
Ashutosh Gupta, Ld. counsel for respondent is
unavailable in post lunch session due to some
personal exigency.

Put up for further arguments on application seeking
condonation of delay and interim application on
07.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 273/21

27.11.2024

Present : Ms. Sunita Chaudhary , Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

An application under Order 6 Rule 17 CPC is moved by appellant is listed today.

Ld. counsel for appellant submits that there are certain typographical mistakes in the said application and seeks permission to withdraw the same.

Accordingly, the application dated 04.10.2024 under Order 6 Rule 17 CPC is dismissed as withdrawn.

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

Put up for arguments on the point of appeal on 10.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk

A.No. 76/20 & 203/18

27.11.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. H.R.Aggarwal, Ld counsel for the respondent.
Sh. Arvind Kumar, Ld. counsel for the respondent
no.3.

Part arguments on the point of appeal heard.

A perusal of impugned demolition order dated 01.04.2015 show that property in question has been booked in contravention of building sanction plan issued by the DDA.

The said sanction building plan is not placed before the Tribunal in record filed by the MCD.

In order to resolve the controversy it is necessary to look into the said sanctioned building plan.

The respondent, MCD is directed to produce the said sanctioned building plan before the Tribunal on the next date of hearing.

The then AE(B) and JE(B) who booked the property are directed to remain present in person before the Tribunal on the next date of hearing.

A communication received by post from Senior Citizens of Amarpali (CGHS) does not furnish any details or any particulars. The MCD and Amarpali CGHS submit that there is no such association of senior citizens of Amarpali. In these circumstances,

-2-

this Tribunal cannot take any cognizance of the letter received from senior citizens of Amarpali (CGHS), who have furnished no particulars of any individual, association and have not clarified interest in the Amarpali Society.

Put up for further arguments on the point of appeal on 23.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
27.11.2024 rk