

A.No. 1047/2024

04.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Ravi Dass and Mr. D. K. Singh, Ld. counsels for  
the appellant.

Ld. counsel for the appellant seeks sometime to take  
instructions before addressing the arguments in this  
matter.

Put up for consideration on **20.12.2024**.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 971/24

04.12.2024

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

Status report is filed by the department, copy supplied.  
Ld. counsel for respondent MCD informs that the MCD record is already filed in connected appeal bearing No.657/24 which is listed on 19.12.2024.  
Accordingly, put up for arguments on interim application and appeal on 19.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 507/24

04.12.2024

Present :

Sh. Shachi Jain, Ld counsel for the appellant.  
Sh.Shivam Kumar Tyagi proxy counsel for Sh. Akash Gupta, Ld counsel for the respondent alongwith Sh. Kuldeep Chopra, AE(B).

Arguments on application under Section 5 of the Limitation Act heard.

Ld.counsel for the appellant submits that initially the appellant has approached the Civil Court and later on came to know that remedy lies before this Tribunal. Accordingly, the present appeal is filed on 15.07.2024 impugning the demolition order dated 26.06.2024. Ld. counsel for respondent opposes the application.

Arguments heard. Record perused. Appellant was initially pursuing remedy before the civil court and then filed the appeal.

At this juncture, the appellant has been able to show sufficient cause seeking condonation of delay. The application is allowed. Delay is condoned.

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  
04.12.2024 J

A.No. 745/23

04.12.2024

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

Report is filed by the department seeking some more time to verify the receipts in terms of the previous order. Opportunity granted.

Put up for purpose already fixed on 16.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 801/23

04.12.2024

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

Put up for purpose already with connected appeal on  
16.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 394/24

04.12.2024

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

An adjournment is sought on behalf of the appellant as main counsel Sh. Sahil Munjal is un-available today due to some personal exigency.

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

Ld. counsel for the respondent MCD also seeks short accommodation to apprise the status regarding conversion / misuse charges, if any and the proceedings which have been initiated.

Put up for purpose already fixed i.e. 12.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 J

A.No. 835/24

04.12.2024

Present : Sh. Rajeshwar Dagar, Ms. Manjula Khatri and Sh. Ankit Hooda, Ld counsels for the appellants.  
Sh. Pritish Sabharwal, Ld counsel for the respondent joined through VC.

Arguments on an application under Section 5 of the Limitation Act heard.

Reply to the application seeking condonation of delay filed by the respondent MCD, copy supplied.

It is submitted by the Ld. counsel for the appellants that they have disputed the service of the demolition order as well as show cause notice. He submits that the order dated 18.09.2024 in W.P.(C) 12735/2024 also records their plea regarding non service of demolition order. He submits that after receipt of the order during the course of writ petition they have filed the present appeal. Ld. counsel for the respondent opposes the request.

The plea taken by the appellant regarding non service of show cause notice and demolition order needs to be considered on merits. The order dated 18.09.2024 in W.P.(C) 12735/2024 also records the submissions regarding non supply of demolition order.

In view of the above facts and circumstances, the appellant has been able to show sufficient cause seeking condonation of delay. The application is allowed. Delay is condoned.

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  
04.12.2024 J



A.No. 785/24 & 786/24

04.12.2024

Present : Sh. Dalip Rastogi, 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 terms of the order dated 26.09.2024.

In the interest of justice one more opportunity is granted.

Put up for purposed already fixed on 09.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 803/24

04.12.2024

Present : Sh. K. P. Singh, Ld counsel for the appellant.  
Sh. Ravjas Sharma, Ld. Proxy counsel for the respondent.

Ld. counsel for the appellant seeks an adjournment to file an affidavit in terms of order dated 26.09.2024. Opportunity granted.

Perusal of the record shows that there is no interim order which has been passed in this case but inadvertently in the order sheet dated 21.10.2024 "interim orders to continue till the next date of hearing" was written. The said clarification is taken on record.

Put up on **09.04.2025** for the purpose fixed.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 (s)

A.No. 787/24

04.12.2024

Present : Sh. Atul Kumar Sharma, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Fresh Vakalatnama filed, same is taken on record  
alongwith Sh. RR Meena AE(B) and Sh. KK Sharma,  
AE(B).

It is informed by the Ld. counsel for the appellant that  
there were interim protection granted in the partition  
suit in respect of the property in question.

Ld. counsel for respondent MCD seeks some time to  
take instructions from the department in respect of the  
directions passed by the Hon'ble High Court of Delhi  
in the said suit.

Accordingly, put up for further arguments on interim  
application as well as appeal on 16.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 104/24(M) & 105/24(M)

04.12.2024

Present : Sh. Shoab Khan, Ld counsel for the applicant /appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

An application seeking restoration of the appeal is listed today.

Ld. counsel for the applicant seeks an adjournment to take instructions on the aspect of the limitation involved in the present application. Opportunity granted.

Put up for further proceedings on 07.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 654/22

04.12.2024

Present : Sh. Joydeep Bhattacharya and Ms. Anjalika Sharma,  
Ld counsels for the appellant.

Sh. S. Adil Hussain, Ld counsel for the respondent

Part arguments on the point of appeal heard.

At page 28 of the appeal, the appellant has placed the site plan of the property which shows that 50 sq.yds. of the property No.1679 was purchased through Registered GPA dated 25.07.2008 and the 60 sq.yds. of the property was purchased vide sale deed dated 20.10.2018. In the said site plan other portions of property No.1679 are also reflected. In the demolition order the property is mentioned as 1679 whereas in the status report dated 14.11.2022 the property number is mentioned as 1679 (Part).

Clarifications are required from the AE(B) concerned who has booked the portion of the property. He is directed to appear in person on next date of hearing.

Put up for further arguments on pending applications and appeal on 03.03.2025.

Interim orders to continue till the next date of hearing.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 J

A.No. 333/23

04.12.2024

Present : Sh. Joydeep Bhattacharya and Ms. Anjalika Sharma,  
Ld counsels for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent

Part arguments on the point of appeal heard.

In the impugned order of rejection of regularization dated 23.02.2023 it is mentioned that the site was inspected and the non-compoundable deviations were found. The then AE(B) concerned is directed to appear before the Tribunal and clarify about the said inspection report which has been relied upon in the matter.

The aforesaid order mentions the details of property as property No.1679 Kotla Mubarakpur, New Delhi whereas in the status report dated 27.08.2024 filed in the court, the property is referred as 1679 (part) Kotla Mubarakpur, New Delhi.

Clarifications are required from the then AE(B) in respect of aforesaid aspects. He is directed to remain present in person on next date of hearing.

Put up for further arguments on pending applications and appeal on 03.03.2025.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 J

A.No. 653/22,

04.12.2024

Present : Sh. Joydeep Bhattarcharya and Ms. Anjalika Sharma,  
Ld counsels for the appellant.  
Sh. S. Adil Hussain, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on pending applications  
and appeal on 03.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 285/16 & 410/15

04.12.2024

Present : Sh. Parveen Pahuja, Ld counsel for the appellant in appeal No. 410/2015.  
Sh. Rishab Jain, Ld counsel for the appellant in appeal No. 285/2016.  
Sh. Ashutosh Gupta , Ld counsel for the respondent appellant in appeal No. 410/2015.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent in appeal No. 285/2016.  
Ms. Rashmi Srivasatva, Ld. counsel for DDA in appeal No. 410/2015 joined through VC.  
Sh. Jatin Aggarwal, Ld Ld. counsel for DDA in appeal No. 285/2016 joined through VC.

Part arguments heard.

Arguments could not be concluded today as there is a medical exigency in the family of Mr. H. R. Aggarwal, Ld. counsel for respondent MCD.

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

Put up for further arguments on the point of appeal on **19.03.2025 at 2:30 p.m.**

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 (J)



A.No. 736/22

04.12.2024

Present : Sh. Akash Tiwari, Ld proxy counsel for the appellant.  
Sh. Utsav Sharma, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Deepak Vohra is un-available today being busy before the Karkardooma Court.

In the interest of justice one last opportunity is granted to the appellant to address the arguments in the matter.

Put up for purpose already fixed on 16.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 428/24

04.12.2024

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

1. Part arguments on interim application seeking stay as well as application moved by appellant under Section 151 CPC are heard.
2. During the course of arguments, Ld. counsel for respondent submits that the present appeal is not maintainable and stay is liable to be vacated.
3. He submits that in pleadings categorical admission is made by appellant in para 'H', wherein it is stated that the entire property was demolished and reconstructed.
4. He submits that building was constructed without any sanctioned building plan. He also highlighted ( on page 30/C ) MCD record where the mediation agreement between appellant and the third party, wherein appellant agreed to demolish and reconstruct the whole structure. He submits that there is no question of grant of protection to the subject property under special protection granted by National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 because appellant has made clear admission in respect of demolition and reconstruction the whole building.
5. Ld. counsel for appellant seeks some time to take instructions in this regard. He seeks an adjournment

Contd...

to place on record property tax return of the property in question prior cutoff date.

6. Affidavit (on page 48 of the appeal) appellant has given the measurements of property. The said affidavit does not mention any measurement unit. Ld. counsel for appellant seeks some time to file fresh affidavit in this regard.
7. It is submitted by Ld. counsel for appellant that building was constructed before 15.06.2015. He also seeks some time to file details of the architect contractor who constructed the building, agreement of the appellant with architect / contractor, invoices regarding purchase of building material and mode of payment etc.
8. Appellant is directed to appear in person before the Tribunal on the next date of hearing.
9. 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.
10. Put up for arguments on interim application and appeal on 13.12.2024.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk

A.No. 1009/24

04.12.2024

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for respondent seeks some time to file status report and record. Opportunity granted.

It is informed that connected appeal is coming up on 30.01.2025.

Accordingly, put up for arguments on interim application and appeal on 30.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 982/24

04.12.2024

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent  
along with Sh. Shailender Singh, 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.

It is informed that connected appeal is coming up on  
30.01.2025.

Accordingly, put up for arguments on interim  
application and appeal on 30.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 39/16

04.12.2024

Present : Sh. Mahesh Rai, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Ld. counsel for respondent / MCD informs that appellant has moved a fresh regularization application which is pending for consideration.

Accordingly, put up for the purpose already fixed on 17.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk

A.No. 948/24, 949/24, 950/24, 951/24, 952/24, 957/24, 958/24 &  
960/24,

04.12.2024

Present : Sh. Saurabh Kaushik, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent in  
appeal nos. 948/24, 950/24, 951/24, 957/24, 958/24 &  
960/24.  
Sh. Atul Tanwar, Ld. counsel for the respondent in  
appeal nos.949/24 952/24.

Adjournment is sought on behalf of appellant as main  
counsel Sh. Deepak Sharma is unavailable today due  
to bereavement in his family.

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

Put up for the purpose already fixed on 16.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 919/24

04.12.2024

Present : Sh. Ajay Sharma , Ld counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent.

Vide separate judgment in appeal no.920/24, the impugned demolition order is set aside and the matter is remanded back to MCD to decide the same afresh within two months from today.

Ld. counsel for appellant seeks some time to take instruction in this matter.

Put up for arguments on interim application as well as on the point of appeal on 21.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk



A.No. 920/24

04.12.2024

Present : Sh. Ajay Sharma, Ld counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent.

Vide separate judgment of even date appeal is allowed. The appeal is remanded back to the Quasi-Judicial Authority for deciding the same afresh.

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

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 735/24

04.12.2024

Present : Sh. Inderjit Singh, Proxy counsel for the appellant  
joined through VC.  
Sh. Atul Tanwar, Ld counsel for the respondent.

It is submitted that main counsel Sh. Dhurv Aggarwal  
is unavailable today due to marriage of his sister.

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

Ld. counsel for appellant seeks some to file affidavit in  
terms of order dated 26.09.2024.

Put up for arguments on interim application and  
appeal on 09.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk

A.No. 839/24

04.12.2024

Present : Sh. Dinesh Kumar, Proxy counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as main counsel Sh. Hitesh Pandey is unavailable today due to medical exigency in his family.

Put up for the purpose already fixed on 19.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 453/24

04.12.2024

Present : None for the appellant.  
Sh. Chetan Hasija, Ld counsel for the respondent.

None is appeared on behalf of appellant in person as well on VC.

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

Put up for the purpose already fixed on 19.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024

A.No. 66/22

04.12.2024

Present : Sh. V.K.Bajaj, Ld counsel for the appellant.  
Sh. Umesh Burnwal, Ld counsel for the respondent.

An application seeking waiver of cost is moved on behalf of respondent / MCD. He submits that due to parallel listing of matters he got occupied before the Hon'ble High Court of Delhi. The reasons stated in the application are justifiable. The application is allowed and cost is waived off.

Part arguments on application under Section 5 of Limitation Act heard.

Ld. counsel for appellant seeks some time to file a detailed affidavit in support of his application.

Opportunity granted.

Put up for arguments on application under Section 5 of Limitation Act on 04.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk

A.No. 441/21

04.12.2024

Present : Sh. V.K.Bajaj, Ld counsel for the appellant.  
Sh. Umesh Burnwal, Ld counsel for the respondent.  
Sh. Vijay Khatri, Ld. counsel for the intervener Ms.  
Manjeet Kaur. Fresh Vakalatnama is filed by Ld.  
counsel for Intervener. It be taken on record.

Part arguments on application under Section 5 of  
Limitation Act heard.

Ld. counsel for appellant seeks some time to file a  
detailed affidavit in support of his application.

Opportunity granted.

Put up for arguments on application under Section 5 of  
Limitation Act on 04.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
04.12.2024 rk