

A.No. 1046/24

06.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Jitender Kumar Dhingra, Ld. counsel for the appellant.

The affidavit giving measurement of the property from page 29 to 38 of the appeal do not mention the unit in which area of the property has been measured.

Appellant is directed to file fresh affidavit in this regard.

Put up this matter for consideration on 13.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No.1051/24

06.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Mritunjay Kumar, Ld. counsel for the appellant.

Part arguments heard.

Put up for further arguments and consideration on the point of appeal on 09.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 1022/24

06.12.2024

Present : Sh. B. Khan, Ld counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

Status report is filed by the department, copy supplied. The record has been produced. It be deposited with Registry and tagged with the file.

Ld. counsel for the appellant submits that the demolition appeal in respect of the property in question is already listed for 17.02.2025.

Accordingly, put up for arguments on interim application and appeal on 17.02.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No. 601/24

06.12.2024

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

Ld. counsel for appellant submits that he has instructions to withdraw the present appeal.

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

In view of the facts and circumstances, the appeal filed by the appellant is dismissed as withdrawn.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  
06.12.2024

A.No. 602/24

06.12.2024

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

Ld. counsel for appellant submits that he has instructions to withdraw the present appeal.

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

In view of the facts and circumstances, the appeal filed by the appellant is dismissed as withdrawn.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  
06.12.2024

A.No. 601/24

06.12.2024

Statement of Ravinder Dabas, Ld. counsel for  
appellant.

At Bar

I am the counsel for appellant in the present appeal. I  
have instructions to withdraw the present appeal. I  
may be permitted to withdraw the appeal.

RO&AC

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 602/24

06.12.2024

Statement of Ravinder Dabas, Ld. counsel for  
appellant.

At Bar

I am the counsel for appellant in the present appeal. I  
have instructions to withdraw the present appeal. I  
may be permitted to withdraw the appeal.

RO&AC

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 168/24

06.12.2024

Present : Sh. Prateek Jain, Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments on application seeking condonation of delay heard.

Ld. counsel for the appellant submits that they came to know about the demolition order on 21.02.2024 upon issuance of Vacation Notice in this matter.

On the other hand, Ld. counsel for the respondent MCD submits that as per the MCD record, the demolition action took place on 29.01.2019 and the appellant was aware about the demolition order way back in the year 2019 and has suppressed the fact to misguide the court.

Ld. counsel for the appellant seeks an adjournment to take instructions and file an affidavit in this regard.

Put up for further arguments seeking condonation of delay on 14.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 (s)



A.No. 360/24

06.12.2024

Present : Sh. Samman Vardhan Gautam, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Sh. Vishal Mann and Sh. Kartik Dabas, Ld. counsels for intervener.

Part arguments on interim application heard.

1. It is the case of the appellant that their property is old structure and protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act. The appellant has placed on record (at page No. 123) property tax form for the year 2008-09 wherein measurements of the property is mentioned. At page 137 of the appeal the appellant has filed an affidavit giving measurements of the property which are absolutely contrary to the measurements which are mentioned in the property tax returns. Ld. counsel for appellant seeks an adjournment to take instructions from the appellant and file fresh affidavit giving details of floor wise covered area of the property in question
2. It is submitted by Ld. counsel for the respondent as well as intervener that the stand taken by the appellant is contrary. It is argued that on the one hand the appellant is seeking protection on the

ground that the property is old structure and on the other hand the appellant has applied for regularization of the property in question vide file No.09/RZN/B-II/SZ/2022 dated 21.10.2022. It is submitted that in order to appreciate the case of the appellant it will be relevant to appreciate the declarations which must have been filed by the appellant alongwith regularization application in respect of the date of construction of the property in question. I found merits in the submissions made by the Ld. counsel for the respondent in this regard. MCD is directed to produce the record pertaining to the aforesaid regularization application along with all relevant annexures and the declarations which have been made by the appellant along with said application.

3. It is submitted by Ld. counsel for the appellant that the electricity bills and other documents which have been relied upon by the appellant pertains to the adjacent property which is owned by the other family members of the appellant. Ld. counsel for appellant on instructions submits that the adjacent portion of the property i.e. 200 sq.yds. and 300 sq.yds. belongs to appellant and his family members and also bears property No.143/9 which is same as the property number in question. As the Ld. counsel for the respondent MCD has raised a question regarding the use of the documents

belonging to the other property to gain relief in present appeal, the issue needs to be delved upon and appreciated after due verification.

4. MCD is directed to verify the documents which have been placed on record and file their status report. The appellant is also at liberty to place on record the documents including electricity bill, water bill etc. of the adjacent properties to distinguish the same from the documents which have been relied upon by appellant in the present appeal.
5. During the course of arguments, it is also surfaced that by the impugned order dated 14.05.2024 the MCD has booked the property from ground floor to fourth floor. Prior to this a separate demolition order was passed on 31.08.2022 in respect of fourth floor of the property in continuation to the previous booking which made on 09.07.2018. The appellant has already filed a separate appeal bearing No.519/23 in that regard. It is clear that appellant is pursuing parallel remedies in two different appeals in respect of top floor of the property in question.
6. Ld. counsel for the MCD seeks some time to take instructions from the department in respect of demolition order dated 31.08.2022 especially in view of the fact that a fresh demolition order has been passed on 14.05.2024 in respect of the entire

structure and has been separately assailed by the appellant in the present appeal.

7. It is informed that the appeal Nos.517/23, 518/23 and 519/23 are listed on 18.03.2025. As the question and the property involved in all the appeals are common, accordingly, the aforesaid appeals be also listed alongwith present appeal on next date of hearing.
8. Ld. counsel for appellant requests for interim protection in the matter. Ld. counsel for MCD strongly opposes the same. However, he submits that as the interim application is part heard, respondent will restrain from taking any coercive action till next date of hearing.
9. Put up for further arguments on the point of interim application as well as appeal on 13.12.2024 at 2.30 p.m.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No. 808/24 & 809/24

06.12.2024

Present : Sh. M.P. Sinha, Ld counsel for the appellant.  
Sh. Tarun Sabharwal, Ld counsel for the respondent.

File taken up today on an application u/s 151 CPC seeking permission to withdraw the appeal.

Mr. Tarun Sabharwal, who is appearing in some other case accept the notice of the application. He submits that respondent MCD has no objection in case appellant wants to withdraw the present appeal.

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

In view of the statement made by the Ld. counsel for appellant, the appeal filed by the appellant is dismissed as withdrawn.

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  
06.12.2024 J

A.No. 808/24

06.12.2024

Statement of M.P. Sinha, Ld. counsel for appellant.

At Bar

I am the counsel for appellant in the present appeal. I have instructions from appellant to withdraw the present appeal. I may be permitted to withdraw the appeal.

RO&AC

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 809/24

06.12.2024

Statement of M.P. Sinha, Ld. counsel for appellant.

At Bar

I am the counsel for appellant in the present appeal. I have instructions from appellant to withdraw the present appeal. I may be permitted to withdraw the appeal.

RO&AC

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 395/23

06.12.2024

Present : Sh. D.M. Bhalla , appellant No.1 in person.  
Sh. Anupam Sharma, Ld counsel for the respondent  
joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Sunil Chauhan is un-available today due to marriage in his family.

In this matter ex-parte interim protection has been granted by my Ld. Predecessor and thereafter no fruitful hearing has taken place in the matter.

Ld. counsel for DDA submits that interim application be decided on priority.

In the interest of justice one last opportunity is granted to the appellant to address the arguments on the interim application seeking stay.

Put up for arguments on interim application and appeal on 24.01.2025.

It is made clear that no further request for adjournment shall be entertained in this matter.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024



A.No. 401/23

06.12.2024

Present : Sh. D.M. Bhalla , Proxy counsel for appellant..  
Sh. Anupam Sharma, Ld counsel for the respondent  
joined through VC.

Ld. proxy counsel submits that Advocate Sh. Sunil Chauhan is leading the arguments in the bunch matters which have been listed today. He submits that Mr. Sunil Chauhan is busy in a marriage in his family and will address the arguments on the next date of hearing.

In this matter ex-parte interim protection has been granted by my Ld. Predecessor and thereafter no fruitful hearing has taken place in the matter.

Ld. counsel for DDA submits that interim application be decided on priority.

In the interest of justice one last opportunity is granted to the appellant to address the arguments on the interim application seeking stay.

Put up for arguments on interim application and appeal on 24.01.2025.

It is made clear that no further request for adjournment shall be entertained in this matter.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No. 402/23

06.12.2024

Present : Sh. Devender Mor, counsel for appellant..  
Sh. Anupam Sharma, Ld counsel for the respondent  
joined through VC.

Ld. counsel for appellant submits that Advocate Sh. Sunil Chauhan is leading the arguments in the bunch matters which have been listed today. He submits that Mr. Sunil Chauhan is busy in a marriage in his family and will address the arguments on the next date of hearing.

In this matter ex-parte interim protection has been granted by my Ld. Predecessor and thereafter no fruitful hearing has taken place in the matter.

Ld. counsel for DDA submits that interim application be decided on priority.

In the interest of justice one last opportunity is granted to the appellant to address the arguments on the interim application seeking stay.

Put up for arguments on interim application and appeal on 24.01.2025.

It is made clear that no further request for adjournment shall be entertained in this matter.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No. 407/22

06.12.2024

Present : Ms. Rashmi Singla and Ms. Ratna Aggarwal, Ld counsels for the appellant.  
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for the respondent.  
Sh. Khushan Kumar, AE(B) joined through VC.

Part arguments heard.

Ld. counsel for the appellant submits that the property in question is in conformity with the sanctioned building plan. She submits that the deviations alleged by the MCD are also covered within the scope of the exemption provided under the Building Byelaws. She seeks an adjournment to file a detailed affidavit of the appellant giving a comparison of the current structure with the structure approved in the sanctioned building plan alongwith measurements.

Put up for further arguments on interim application and appeal on 11.03.2025.

Concerned officer is directed to remain present in person on next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 J

A.No. 1054/24

06.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Ghyanshyam Nagar, 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 09.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No.1058/24

06.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Vishal Mann, 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 10.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024

A.No. 994/24

06.12.2024

Present : Sh. Harikrishan Dass Nijhawan, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent no.1., MCD along with Sh. T.S. Arya, EE(B), Ms. Sunita Gautam, Arch, Asstt., Karol Bagh Zone.

None for the respondent no.2, DDA.

Sh. Sanchit Garga, Ld. counsel for the respondent no.3., M/s. Gian P.Mathur & Associates (P) Ltd joined through VC along with Sh. Amit Dwivedi, Advocate present in the Tribunal. Fresh Vakalatnama is filed. It be taken on record.

Sh. Malyaj Sehgal, Ld. counsel for the respondent no.4, M/s.DCM Limited.

Sh. Ravi Krishan Chandna, Ld. counsel for the respondent no.5, M/s. Purerth Infrastrure Limited.

Sh. Sunil Dutt Dixit, Ld. counsel for the respondent no.6, M/s. Basant Project Limited. Fresh Vakalatnama is filed. It be taken on record.

Ld.counsel for respondent, MCD seeks some time to file their detailed reply / status report as well as record. Opportunity granted.

Ld. counsel for respondent no.3 to 6 submits that they have not received copy of appeal. They have shared their email IDs with the appellant.

Contd....

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Appellant is directed to provide the copy of appeal as well as documents to respondent nos.3 to 6 during the course of the day.

Put up for filing reply / status report and record by the respondent no.1 as well as other respondents and arguments on the point of appeal on 18.12.2024.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 747/14

06.12.2024

Present : Sh. Sanjay Aggarwal, Ld counsel for the appellant.  
Sh. Nilesh Sawhney, Ld counsel for the respondent  
joined through VC along with Sh. Dharambir Singh,  
Consultant, NDMC present in the Tribunal.

Ld. counsels of the parties submits that as the notification regarding conferment of the powers on the Tribunal was still awaited and therefore they are not ready for arguments.

It is clarified that vide notification dated 28.11.2024 bearing no. F.13 (575) /UD /LB-I /Notification NDMC/ 2024/ 4149-4152 issued by Department of urban Development, Delhi Secretariat, New Delhi powers have already been conferred.

Put up for arguments on interim application and appeal on 07.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R



A.No. 681/24 & 682/24

06.12.2024

Present : Sh. Pakanj Kumar Yadav, Proxy counsel for the appellant.

Sh. V.K.Aggarwal, Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as main counsel Sh. Om Parkash is unavailable today due to high fever. On the last date of hearing also adjournment was sought on medical ground.

Ld. counsel for respondent / MCD opposes the adjournment request.

In the interest of justice, appellant is given last opportunity to address arguments on interim application, failing which the Tribunal shall be constrained to proceed further with the application as per law and reconsider the grant of interim protection in the matter.

Put up for arguments on interim application and appeal on 23.01.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 537/24, 538/24, 539/24, 540/24, 541/24, 542/24, 543/24 &  
559/24

06.12.2024

Present : Sh.Sanchit Jaglan , Proxy counsel for the appellant.  
Sh.V.K.Aggarwal , Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as main  
counsel Sh. Sanjay Rathi is unavailable today due to  
bad health.

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

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

Put for the purpose already fixed on 21.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 172/24 & 173/24

06.12.2024

Present : Ms. Parul Agarwal, Ld counsel for the appellant joined through VC.

Sh. Sagar Dhama, Ld counsel for the respondent.

Ld. counsel for appellant seeks some time to take instruction for moving an application seeking condonation of delay in the present matter.

Put for the purpose already fixed on 21.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 424/24

06.12.2024

Present : Sh. Rudarjit Ghosh, Ld counsel for the appellant joined through VC.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD.

An application under Order 1 Rule 10 CPC is moved on behalf of intervener Mr. Manoj Kumar is listed today.

Ld. counsel for appellant seeks some time to file its reply. Copy of application is placed on record and same be released to appellant against due acknowledgement. Appellant is directed to supply advance copy of reply to intervener before the next date of hearing.

An adjournment is sought on behalf of MCD as main counsel Ms. Bhavya Chauhan is unavailable today. In this matter status quo has been granted by the Hon'ble High Court of Delhi till the interim application is decided by this Tribunal. Due to unavailability of Ld. counsel for respondent / MCD, unnecessary adjournment is happening and the Tribunal is not able to hear on the interim application. MCD is directed to ensure presence of their counsel on the next date of hearing so that unnecessary adjournment does not happen in this matter.

It is submitted by Ld. counsel for intervener that despite the status quo by the Hon'ble High Court of

Delhi and GRAP-IV restrictions, the appellant is continuously carrying out construction in the property in question. He submits that he placed on record the photographs showing continuous construction in the property. He submits that he raised his grievance with MCD officer's but no action has been taken by the MCD in this regard.

The concerned Deputy Commissioner is directed to ensure that status quo be maintained in respect of property in compliance of directions issued by the Hon'ble High Court of Delhi in WP(C) no. 9406 / 2024 vide order dated 11.07.2024. The status report be filed by the concerned Deputy Commissioner to apprise the status of the property in question on next date of hearing.

Copy of this order be communicated to office of the concerned Deputy Commissioner for necessary compliance.

It is clarified that no request for further adjournment will be entertained in this matter.

Put up for arguments on interim application seeking stay and appeal on 13.01.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 817/23

06.12.2024

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

Ld. counsel for appellant seeks some time to take  
instruction in respect of order dated 03.10.2024.

Opportunity granted.

Put up for the purpose already fixed on 21.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 329/24

06.12.2024

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

An adjournment is sought on behalf of appellant as  
main counsel is unavailable due to some family  
exigency.

Put up for arguments on application as well as on the  
point of appeal on 21.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 767/23

06.12.2024

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

Arguments on application under Section 5 of  
Limitation Act heard.

It is submitted by Ld. counsel for appellant that the  
impugned demolition order dated 18.10.2023 was  
served upon them only on 21.11.2023 and on  
29.11.2023 they have filed present appeal.

Ld. counsel for MCD opposes the application.

Arguments heard and record perused. A perusal of  
record of MCD (at page 281/C) shows that postal  
receipt is only address to Mr. Sunil Kumar and there is  
no other postal receipt showing dispatch of demolition  
order to other persons / appellant. Prima facie at this  
juncture it is clear that the service of demolition order  
is not free from doubt. Appellant is able to show  
sufficient cause for condonation of delay. Application  
seeking condonation of delay is allowed and delay is  
condoned.

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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.

Put up for arguments on application under Order 1 Rule 10 CPC, interim application and appeal on 13.02.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 768/23

06.12.2024

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

Arguments on application under Section 5 of Limitation Act heard.

It is submitted by Ld. counsel for appellant that the impugned sealing order dated 20.10.2023 was served upon them only on 21.11.2023 and on 29.11.2023 they have filed present appeal.

Ld. counsel for MCD opposes the application.

Arguments heard and record perused. The impugned sealing order (at page 213-214 of MCD record) shows that there is no whisper on record how sealing order is served upon the appellant.

Under these circumstances, the benefit tilts in favour of appellant. Appellant is able to show sufficient cause for condonation of delay. Application seeking condonation of delay is allowed and delay is condoned.

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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Put up for arguments on application under Order 1  
Rule 10 CPC, interim application and appeal on  
13.02.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 373/23, 374/23, 375/23 & 376/23

06.12.2024

Present : Sh. Zaffar Abas , Ld counsel for the appellant.  
Sh. Vijay Tyagi, Ld counsel for the respondent joined through VC.

Status report is filed on behalf of respondent department along with order dated 18.11.2024 passed by the then concerned Deputy Commissioner, Shahdara (South) Zone. The order records that the order dated 24.06.2022 of the then AE(B) has been already set aside.

The order dated 08.08.2019 of the then Deputy Commissioner, Shahdara (S) Zone is upheld and sanction building plan stands revoked.

Ld. counsel for appellant seeks some time to peruse the report.

Put up for arguments on application seeking condonation of delay, interim application and appeal on 24.03.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 337/23

06.12.2024

Present : Sh. Dinesh Kumar, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent  
along with Sh. Gaurav Pathik, AE(B).

Status report is filed on behalf of respondent / MCD  
informing that clarification sought from Town Planning  
Department is awaited. Copy supplied.

Accordingly, notice be issued to Chief Town Planner,  
MCD to depute the representative on the next date of  
hearing to assist the Tribunal in this regard.

Put up for further proceedings on 16.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 383/23

06.12.2024

Present : Sh. Aditya Singh, Proxy counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of appellant as he is travelling out of station. Perusal of record shows that there is ex parte interim stay granted by my Ld. Predecessor and thereafter continuous adjournments are happening and no fruitful hearing has taken place. Appellant is given one last and final opportunity to address arguments on interim application seeking stay, failing which the Tribunal shall be constrained to reconsider the interim protection granted in the matter. It is clarified that no further adjournment shall be entertained in this matter.

Put up for arguments on application seeking condonation of delay, interim application seeking stay and appeal on 07.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 664/23

06.12.2024

Present : Sh. Sanchit Jaglan, Proxy counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent  
joined through VC.

Adjournment is sought on behalf of appellant as main counsel Sh. Sanjay Rathi is unavailable today due to bad health.

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

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

Put for the purpose already fixed on 21.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 571/22 & 572/22

06.12.2024

Present : Appellant in person.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Adjournment is sought on behalf of appellant as main counsel Sh. Rohit Goel is unavailable today being out of station.

Ld. counsel for respondent strongly opposes the adjournment. He submits that there is ex parte interim stay and appellant is enjoying the same seeking continuous adjournments in the matter.

I found merits in the submissions made by Ld. counsel for respondent, MCD. Perusal of record shows that various adjournments have been taken by the appellant and today again there is no change in stance and adjournment is sought without any justification.

In the interest of justice, one last opportunity is granted to appellant to address further arguments subject to cost of Rs.5000/- to be deposited in the Registry of the Tribunal.

It is clarified that no further adjournment request will be entertained in the matter and in case appellant fails to address argument, the Tribunal shall be constrained to reconsider the interim protection granted in the matter.

Put for the purpose already fixed on 07.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R



A.No. 229/17, 230/17, 231/17 & 232/17

06.12.2024

Present : Sh. Zaffar Abas , Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld. counel for the respondent in appeal no.229/17.  
Ms. Kanta Chaudhary, Ld. counsel for the respondent in appeal nos.231/17 & 232/17  
Ms. Parveen Sharma, Ld counsel for the respondent in appeal no.230/17.

Status report is filed on behalf of respondent department along with order dated 18.11.2024 passed by the then concerned Deputy Commissioner, Shahdara (South) Zone. The order records that the order dated 24.06.2022 of the then AE(B) has been already set aside.

The order dated 08.08.2019 of the then Deputy Commissioner, Shahdara (S) Zone is upheld and sanction building plan stands revoked.

Ld. counsel for appellant seeks some time to peruse the report.

Put up for arguments on application seeking condonation of delay, interim application and appeal on 24.03.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024 R

A.No. 278/19

06.12.2024

Present : Sh. A.P.Singh, Proxy counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Written arguments is filed on behalf of respondent /  
MCD.

Fresh Vakalatnaama of Sh. Sanjay Tyagi is filed on  
behalf of appellant.

An adjournment is sought on behalf of the appellant as  
the main counsel is unavailable today and has been  
recently engaged. He needs to inspect the record  
before addressing arguments in the present matter.

Put up for arguments on interim application and  
appeal on 21.04.2025.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
06.12.2024