

A.No. 1057/24

10.12.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Pawan Singh Mahar and Ms. Manu, Ld counsel
for the appellant alongwith appellant in person.

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.

It is informed that the connected matter is listed on
17.12.2024.

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
10.12.2024

A.No. 115/24 (M)

10.12.2024

Present : Sh. Shankar Sehgal, Ld counsel for the appellant.

File taken up today on an application u/s 151 CPC for restoration of appeal.

Notice of the application be issued to the respondent for 06.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 1058/24

10.12.2024

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

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

Part arguments on the interim application seeking stay heard.

It is submitted by Ld. counsel for the appellant that the impugned demolition order has been passed without providing any opportunity of hearing to the appellant. He submits that the appellant has placed on record title documents as well as electricity bills in respect of the property in question. He submits that property in question was constructed prior to cut off date and stands protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

On the other hand, it is argued by Ld. counsel for the respondent MCD that show cause notice as well as demolition order records that the officers concerned went at the spot but the person available there had refused to receive the process and thereafter the affixation was done. The details of the person who was found at the spot is not mentioned in the endorsement and clarifications are required from the

then AE/ JE concerned in this regard, as the issue of service of show cause notice goes to the root of the matter. Accordingly, the then JE/AE concerned are directed to appear in person before this Tribunal on the next date of hearing.

At the interim application is part heard, status quo be maintained in respect of the property in question till the next date of hearing.

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.

It is also directed that the appellant shall not carry out any further construction in the property in question without necessary approval as per law.

Put up for arguments on interim application as well as on the point of appeal on **11.02.2025**.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 988/24

10.12.2024

Present :

Sh. Sanjay Kumar, Ld counsel for the appellant.

Sh.Ashutosh Gupta, Ld counsel for the respondent.

Sh. Aman Sareen, Ld. counsel for intervener joined through VC alongwith Sh. R.P. Advocate present in the court.

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

Ld. counsel for respondent seeks some time to file status report in the matter. He submits that the appeal is not maintainable because as per the sale deed placed on record the property is owned by HUF and the appeal is filed by the appellant in individual capacity.

An application under order 1 Rule 10 CPC moved by the intervener Ms. Vijay Lakshmi is listed today, copy be supplied to the appellant. Advance copy of the reply be sent to the intervener.

Put up for arguments on an application under Order 1 Rule 10 CPC, application seeking stay and appeal on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 J

A.No. 325/21, 324/21, 432/21 & 433/21

10.12.2024

Present : Sh. Vaibhav Kumar, Ld counsel for the appellant.
Sh. Vijay Kumar, Ld counsel for the respondent EDMC
in appeal No. 325/21 & 324/21.
Sh. V.K. Aggarwal, Ld. counsel for respondent EDMC
in appeal No. 432/21 & 433/21.

It is informed that the matter is pending before the
Court of Ld. Principal District & Sessions Judge,
Shahdara and the next date of hearing is 10.02.2025.
Accordingly, put up for further proceedings on
22.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 383/17

10.12.2024

Present :

Sh. Satish Kumar, Ld counsel for the appellant alongwith Sh. Jagmohan Singh, Kohli, appellant.

Sh. Jasman Singh Sethi, Ld counsel for the respondent.

Ld. counsel for appellant submits that in view of the status report dated 20.08.2024 filed by the respondent New Delhi Municipal Council, stating that discrepancy in the show cause notice dated 26.12.2014 as well as demolition order dated 08.05.2017 wherein inadvertently due to typographical error had mentioned the unauthorized construction by the appellant on the first floor level Accordingly, he may be permitted to withdraw the present appeal

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

From the report dated 20.08.2024 it is clear that the officials of the respondent NDMC have recklessly booked the property without bothering to verify about the floor where the unauthorized construction exist. The litigation is pending in this Court since May, 2017. Despite the pendency of the litigation the respondent Council did not realized their mistake and only in status report dated 20.08.2024 the status is clarified. It is clear that the proceedings in the present matter have been handled by the officers of the respondent NDMC recklessly and without application of mind.

-2-

In these circumstances, notice be issued to Er. Lalit Paul Toppo, Executive Engineer (E-BR) to appear in person and show cause as to why the action be not initiated against him for arbitrary exercise of powers and dereliction of duty.

Put up for further proceedings on 20.12.2024.

Copy of the order be sent to the Chairman, NDMC.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 383/17

10.12.2024

Statement of Jagmohan Singh Kohli, S/o Late Avtar Singh Kohli, Managing Partner, Hotel Palace Heights, D-26/28, Connaught Place, New Delhi.

On SA

I am the appellant in the present appeal. In view of the status report dated 20.08.2024 filed by the respondent New Delhi Municipal Council, stating that discrepancy in the show cause notice dated 26.12.2014 as well as demolition order dated 08.05.2017 wherein inadvertently due to typographical error had mentioned the unauthorized construction by the appellant on the first floor level, therefore I may be permitted to withdraw the present appeal.

RO&AC

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 347/14, 348/14 & 473/14

10.12.2024

Present : Sh. B.S. Mathur & Sh. Rajat Mathur, Ld counsel for the appellants alongwith Ms. Anupma Panchal, appellant No.1.

Sh. Anubhav Gupta, Ld counsel for the respondent in appeal Nos.347/14 & 473/14.

Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal No.348/14.

Ld. counsel for appellant submits that appellants wish to withdraw the present appeal in view of status report dated 10.12.2024 filed by the respondent MCD after regularization of the property vide letter bearing EE(B)-I/Shah (S)/2024/D-515 dated 02.08.2024.

Separate statement of the appellant Ms. Anupma Panchal has been recorded in this regard.

In view of the facts and circumstances, the present appeal 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
10.12.2024

A.No. 347/14, 348/14 & 473/14

10.12.2024

Statement of Smt. Anupma Panchal D/o Lat Ravinder
Kaur, R/o IX/156, Kailash Nagar, Gndhi Nagar, Delhi.

On SA

I am the appellant No.1 in the present appeal and has been authorized by my elder sister Smt. Komal Narula appellant No.2 to make statement for withdrawal of present appeal in terms of status report dated 10.12.2024 filed by the respondent MCD after regularization of the property vide letter bearing EE(B)-I/Shah (S)/2024/D-515 dated 02.08.2024. In view of the above I may be permitted to withdraw the present appeal.

RO&AC

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 100/24(M)

10.12.2024

Present : Sh. D.S. Bhatia, Ld counsel for the applicant joined through VC.

Ms. Beena Sharma, Ld counsel for the respondent No.1 joined through VC with Sh. Abhishek Meena, JE(B) present in the court.

Sh. Vipin Nandwani, Ld. counsel for respondent No.2.

1. The present application is moved under Section 152 CPC read with Section 151 CPC seeking amendment in the order dated 01.05.2024 passed by my Ld. Predecessor.
2. It is submitted by the Ld. counsel for applicant that in order dated 01.05.2024 the Tribunal referred to order dated 03.11.2023 passed in OMP (I) (COMM,) 355/23 titled Gopal Krishan Jaggi Vs Satish Jaggi passed by the Hon'ble High Court of Delhi. Relevant extract from said order was reproduced in the order sheet also. He submits that in first para of the order of the Hon'ble High Court, the date of the order is wrongly written as 28.03.2019 instead of 03.11.2023.
3. Ld. counsel for MCD as well as respondent No.2 does not oppose the request in this regard and accordingly it clarified that the date of the relevant order passed by Hon'ble High Court of Delhi in

4. OMP (I) (Comm.) 355/2023 is 03.11.2023 (which is recorded in the subsequent paras of the said order dated 01.05.2024 also).
5. It is pointed out by the Ld. counsel for applicant that in the second paragraph of the order dated 01.05.2024 it is recorded that the appellant has filed the appeal against the demolition order dated 28.03.2019. He submits that the prayer clause of the appeal shows that the appellant has impugned the demolition order dated 12.07.2022.
6. It is clear from the submissions made by the parties that the MCD has passed three demolition orders in the present case. The first one is dated 28.03.2019 by which the unauthorized construction in the shape of excavation of earth for basement was directed to be demolished. Thereafter the second demolition order was passed on 19.08.2019 in continuation to the previous booking wherein the unauthorized construction in the shape of basement, ground floor, first floor, second floor and third floor was ordered to be demolished. Thereafter show cause notice dated 12.07.2022 was issued in continuation to the previous booking in respect of the unauthorized construction in the shape of basement, ground floor, first floor, second floor and third floor and finally the third demolition order was passed on 22.07.2022.

7. Ld. counsel for applicant concedes that in their prayer clause they have written the date of show cause notice as 12.07.2022 but in the present appeal they have impugned the demolition order dated 22.07.2022.
8. Ld. counsel for MCD as well as R-2 does not oppose the request to alter the date to 22.07.2022 instead of 28.03.2019.
9. It is contended by the Ld. counsel for the applicant that in the order dated 01.05.2024 it is recorded that the appellant himself had agreed before the Hon'ble High Court of Delhi to demolish the entire structure within two months. Relevant portion of the order is re-produced as below:

“The above order passed by the Hon'ble High Court, makes it clear that the appellant himself had agreed before the Hon'ble High Court that he would demolish the entire structure within 2 months excluding the period of restriction”

10. Ld. counsel for appellant submits that appellant did not tendered any kind of submission to demolish the building himself and the aforesaid submission is wrongly recorded.

11.Ld. counsel for the respondent MCD and respondent No.2 oppose the request as aforesaid amendment does not fall within the scope of Section 152 CPC.

12.I agree and concur with the submissions made by the Ld. counsel for respondent No.2 as well as Ld. counsel for MCD in this regard. Section 152 CPC permits the Court to correct mistakes which are clerical or arithmetic in nature. The aforesaid paragraphs are the observations recorded by my Ld. predecessor after due application of mind and this Tribunal under Section 152 CPC cannot sit on appeal on the observations which have been given by my Ld. Predecessor and the prayer seeking amendment in respect of aforesaid observation is declined. The application is accordingly disposed off.

File be consigned to record room

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 J

A.No. 442/13

10.12.2024

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.
Ms. Vasundhara, Ld. Proxy Counsel for the respondent.

It is submitted by Ld. proxy counsel that main counsel Mr. Dharamvir Gupta is not available as he is busy in some other Court.

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

Put up for further arguments on the point of appeal on **24.02.2025.**

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 367/20 & 368/20

10.12.2024

Present : Sh. Sanam Malhotra , Ld counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
joined through VC.

Part arguments heard.

At page 50-51 of the appeal, the appellant is relying upon the documents which are annexure to Survey Report which was filed in the proceedings before the Hon'ble High Court of Delhi. Complete copy of Survey Report is not on record.

Ld. counsel for the MCD also submits that appellant should place on record complete copy of Survey Report in order to have a clear understanding of the documents which is relied upon.

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

Put up for further arguments on the point of appeal on **23.04.2025.**

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 212/23 & 16/23

10.12.2024

Present : Sh. Ramesh Kumar, Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent in appeal no. 212/23.
Sh. V. K. Aggarwal, Ld counsel for the respondent in appeal no. 16/23.
Sh. Abhishek Kaushik, Ld. counsel for intervener joined through VC.

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

Ld. counsel for the applicant seeks an adjournment to address further arguments on the application as well as to place on record additional documents in support of the said application.

Put up for further arguments on application under Order I Rule 10 CPC, interim application as well as on the point of appeal on **22.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 439/17

10.12.2024

Present : Sh. Rajesh Kumar Kaushik, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Vimal Dhingra, Ld. counsel for respondent No.2 alongwith respondent No.2 in person.

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

In the application it is stated that the appellant got the documents pertaining to the building construction permit in the year 2017.

Ld. counsel for the appellant seeks some time to clarify as to how and in what manner the said documents were procured by the appellant, as no details is given in the application.

Put up for further arguments on the application seeking condonation of delay on **16.12.2024**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 J

A.No. 430/22

10.12.2024

Present : None for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

It is already 3.35 p.m. No one has appeared on behalf of the appellant since morning despite various calls. The matter is adjourned subject to cost of Rs.10,000/- to be deposited with the Registry of this Tribunal. Put up for purposed fixed on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 174/21

10.12.2024

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

Appellant submits that her counsel is not available today due to some personal exigencies and seeks adjournment.

In the interest of justice put up for arguments on interim application and on appeal on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 822/17

10.12.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Babita Sharma, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

Ld. counsel for appellant submits that they are relying upon the rectification order dated 01.04.2002 (page-31) to show that the portion in the rear site of the house falls under the protection of National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act.

Ld. counsel for respondent MCD seeks some time to seek clarification in respect of document.

MCD is directed to verify the said document and file status report on the next date of hearing.

Put up for further arguments on the point of appeal on 23.04.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 357/22

10.12.2024

File is taken up today on an application moved on behalf of appellant seeking early hearing.

Present : Sh. Prainav Gupta, Ld counsel for the appellant joined through VC for appellant nos. 1 & 2.

It is submitted by Ld. counsel for the appellant that MCD officials visited the property in question and they are apprehending demolition in the case,
Issue notice of this application to the remaining appellant nos. 3 to 8 as well as to the respondent MCD for **18.12.2024.f486**

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 1061/24

10.12.2024

Present : Sh. Kunal Kalra , Ld counsel for the appellant.

Ld. counsel for the appellant seeks short adjournment to take instructions in respect of impleadment of necessary party in the matter.

Put up for consideration on **19.12.2024.**

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 1064/24

10.12.2024

Present : None for the appellant.

None has appeared on behalf of appellant in person
as well in VC since morning despite various calls.

Put up for consideration on 20.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 1059/24

10.12.2024

Present : Ms. Vagmi Singh, Ld counsel for the appellant joined through VC.

Part arguments heard.

Ld. counsel for appellant seeks an adjournment to take instruction before addressing further arguments in the present matter.

Put up for consideration on 11.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 485/24 & 486/24

10.12.2024

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

Status report filed. Copy supplied.

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

Ld. counsel for the respondent MCD submits that there is a status quo which has been granted in the matter in terms of directions passed by Hon'ble High Court of Delhi. He submits that Hon'ble High Court of Delhi has directed to deal with the interim relief expeditiously.

Accordingly, at joint request, put up for arguments on interim application as well as on the point of appeal on **17.01.2025.**

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)

A.No. 29/22

10.12.2024

Present : Sh. Bhupender Singh Saini, Ld counsel for the appellant along with Sh. G.K.Virmani, Advocate & Sh. Mukesh Kumar, Attorney.

Sh. , Ld counsel for the respondent along with Sh. N.K.Gupta, the then AE(B)

Part arguments heard.

Sh. N.K.Gupta, the then AE(B) submits that he initially booked the property and order was not passed by him. The impugned order is stated to have been passed by the then Sh. P.K.Sharma, AE(B).

An adjournment is sought on behalf of respondent / MCD as Mr. R.K.Kashyap is unavailable due to some personal exigency.

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

Sh. P.K.Sharma, 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 13.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 161/20 & 162/20

10.12.2024

Present : Sh. Varun Gowami, Ld counsel for the appellant joined through VC
Sh. V.K.Aggarwal, Ld counsel for the respondent in appeal no.162/20.
Ms. Neetu, Proxy counsel for Sh. Dharamvir Gupta, Ld. Counsel for respondent.
Sh. Ashish, Intervener in person.

Part arguments heard.

Arguments could not be concluded today as Ld. counsel for respondent / MCD is unavailable today being held up in arguments in some other court.

Mr. Ashish, intervener submits that his Ld. counsel is also not available today.

Put up for further arguments on interim application and appeal on 06.02.2025.

Interim orders to continue till the next date of hearing in appeal no.160/20.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 915/24

10.12.2024

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

An application is moved on behalf of appellant for impleadment of other LRs of Sh. T.S.Rajagopalan.
Copy supplied.

Put up for reply and arguments on the application on
21.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No.793/24

10.12.2024

Present : Sh. R.B.Singh & Sh. Gurpreet Singh , Ld counsel for the appellant.

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

Reply to application under Section 151 CPC is filed by respondent / MCD.

Arguments on application under Section 151 CPC for filing additional documents are addressed by both the parties.

It is submitted by Ld. counsel for appellant that through application appellant wish to place on record rent agreement, tenant verification as well as title documents of the property in question which are important for adjudication in the present matter.

On the other hand, Ld. counsel for respondent / MCD submits that appellant was already in possession of documents and has remained negligent by not placing on record documents at the time of filing of appeal and he opposes the application.

Arguments heard and record perused.

Vide list of documents dated 04.10.2024, appellant placed on record copy of documents i.e. lease deed, tenant verification, title documents, reply to show cause notice etc.. The aforesaid documents pertain to the controversy in the matter and are relevant for adjudication of the present appeal.

Contd...

-2-

Accordingly, the application is allowed and the list of documents filed on 04.10.2024 is taken on record.

Put up for arguments on interim application as well as appeal on 12.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 693/24

10.12.2024

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

Ld. counsel for respondent / MCD seeks a short adjournment to take instruction from the department in the present matter in terms of previous order.

Opportunity granted.

Put up for further proceedings on 29.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 465/24

10.12.2024

Present : Appellant in person.
Sh. Madan Sagar, Ld counsel for the respondent.

Appellant seeks a short adjournment to engage a
counsel in the matter.

Put up for the purpose already fixed on 11.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024

A.No. 13/15 & 14/15

10.12.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Neetu, Proxy counsel for the respondent.

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

It is informed that Mr. Dharamvir Gupta, Ld. counsel for respondent / MCD is not available today being held up in arguments in some other court.

Put up for consideration on status report dated 10.12.2024 on 13.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 680/24 & 707/24

10.12.2024

Present : Sh. G.R.Verma, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Ms. Sangeeta Tyagi, Intervener in person.

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

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

Ld. counsel for respondent / MCD seeks some time to take clarifications in respect of the assessment order which is at page 127 of appeal no.707/24.

The concerned officer is directed to appear in person before this Tribunal on the next date of hearing.

An application under Order I Rule 10 CPC moved by Ms. Sangeeta Tyagi is also listed today. Copy supplied to appellant.

Put up for reply, arguments on application under Order I Rule 10 CPC and further arguments on interim application seeking stay as well as appeal on 27.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 488/24

10.12.2024

Present : Sh. B.S.Mathur , Ld counsel for the appellant.
Sh. Kartik Gupta, Ld counsel for the respondent.
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

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

Part arguments on the point of appeal heard.

Ld. counsel for respondent / MCD submits that he needs to take instruction in the matter before addressing arguments.

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

Put up for further arguments on the point of appeal on 28.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 665/24

10.12.2024

Present : Sh. Rohit Sehgal S/o appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
joined through VC.

Ld. counsel for respondent / MCD informs that the WP (C) listed before the Hon'ble High Court of Delhi is already disposed off and seeks some time to file status report along with relevant orders passed by the Hon'ble High Court of Delhi in this regard.

It is informed that Ld. counsel for appellant is unavailable today due to medical exigency.

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

Put up for arguments on interim application as well as appeal on 07.03.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 435/21

10.12.2024

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

Part arguments on the point of appeal heard.

Some clarifications are required from the then Deputy Commissioner Sh. Vikram Singh Malik in respect of impugned order. He is directed to appear in person or through VC before the Tribunal on the next date of hearing.

Put up for further arguments on the point of appeal on 05.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 355/21 & 356/21

10.12.2024

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.
Sh. Ashutosh Gupta, Proxy Counsel for Sh.
H.R.Aggarwal, Ld. counsel for the respondent.

Part arguments heard.

Put up for further arguments with connected appeal on
05.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 596/23

10.12.2024

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

Nodal officer / MCD submits that MCD will file reply to
application under Section 5 of Limitation Act during the
course of the day. Copy of be supplied to appellant.

Put up for arguments on the application seeking
condonation of delay on 17.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

2:30 PM

At this stage Sh. V.K.Aggarwal, Ld. counsel for
respondent / MCD file reply to the application seeking
condonation of delay. Copy of reply kept on record. Be
supplied to appellant against due acknowledgment.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 970/13

10.12.2024

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent.

Ld. counsel for appellant submits that they are waiting for the fate of Civil Suit in which issue of ownership is involved. He submits that the Civil Suit is listed in the month of March, 2025 and request to keep the matter thereafter.

At joint request of both the parties, put up for the purpose already fixed on 28.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 R

A.No. 528/19

10.12.2024

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

An adjournment is sought as main counsel Mr.
Harkirat Singh is unavailable today due to family
function.

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

Put up on **22.04.2025** for the purpose fixed.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
10.12.2024 (s)