

A.No. 969/24

11.12.2024

Present : Sh. Abhishek Paul, Ld counsel for the appellant.
Sh. Ajay Gaur, Ld counsel for the respondent
alongwith Sh. A.K. Mandel, AE(B).

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

An adjournment is sought on behalf of the appellant as
main counsel Sh. Ghansham Nagar is un-available
today due to some personal exigency. Opportunity
granted.

Put up for arguments on interim application and
appeal on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 389/17

11.12.2024

Present : Sh. Durga Prasad Shukla, Ld counsel for the appellant
joined through VC alongiwht appellant present in the
court.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the department, copy supplied.

Ld. counsel for the appellant seeks an adjournment to
peruse the report before addressing the arguments.

Re-list for arguments on the point of appeal on
12.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 713/24 & 471/24

11.12.2024

Present : Sh. Ayaz Ahmad, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent in appeal No. 713/24 joined through VC.
Sh. S. Adil Hussain, Ld counsel for the respondent in appeal No. 471/24 joined through VC.

Part arguments heard on the point of clarifications.

Ld. counsel for the appellant seeks an adjournment to file a detailed affidavit to bring clarity in respect of the property number.

Mr. Anil Bansal, AE is also present and seeks sometime to file a status report clarifying the issue of property number.

Put up for further arguments on the point of appeal on **13.01.2025.**

The AE concerned is directed to appear in person on the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 (s)

A.No. 11/24

11.12.2024

Present : Sh. M. P. Bhargva, Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Status report is filed by the MCD. Copy supplied.

Part arguments on the application under Section 151 CPC seeking temporary de-sealing of the property heard.

It is submitted by Ld. counsel for the MCD that they have inspected the building and the same does not require any repair.

The appellants are relying upon the report given by Mr. Ramesh Chandra & Associates to support their arguments that there is a threat to the structural safety of the building.

On the other hand, in para no. 1 of the said report, the concerned Engineer has opined that R.C.C frame of columns, Beams & Roof Slab appears to be reasonably sound.

In order to appreciate the pleas made in the application, it will be prudent to seek clarifications from the Engineer concerned who has given the said report.

Accordingly, notice be issued to Mr. Ramesh Chandra with direction to appear in person on the next date of hearing for assisting this Tribunal.

Put up for further arguments on application under Section 151 CPC seeking temporary de-sealing of the property on **19.12.2024**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 (s)

A.No. 877/24

11.12.2024

Present : Sh. Hem Kumar, Ld counsel for the appellant.
Ms. Mehak Arora, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record.

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

Re-list for purpose already fixed on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 45/15

11.12.2024

Present : Sh. Vedant Kapur proxy counsel for the appellant.
Sh. Nilesh Sawhney, Ld counsel for the respondent.

The present appeal has been filed impugning the show cause notice in the matter. Ld. counsel for the respondent NDMC submits that demolition order is yet to be passed in present matter.

Ld. proxy counsel submits that main counsel Sh. Samar Bansal is unavailable today being busy before the Hon'ble Supreme Court of India of India.

Accordingly, at request of the appellant, put up for clarification on the point of maintainability of the present appeal on 16.12.2024 at 2.00 p.m.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 J

A.No. 326/21

11.12.2024

Present : None for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

None is 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 purposed already fixed on 03.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

12.20 p.m.

At this stage Sh. Parmesh Bali, Ld. counsel for respondent appeared. He is informed about the order passed today.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 886/17

11.12.2024

Present : Sh. Abhijeet Rai, Sh. Mohit Rathor, Ld counsels for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

An application under Section 151 CPC is moved on behalf of applicant/ appellant seeking waiver of costs which was imposed vide order dated 30.05.2024. Copy supplied.

Arguments heard. Medical exigency has been cited in the application to seek waiver of costs.

In view of the submissions made, the application is allowed and the cost is waived.

It is informed by Ld. counsel for the appellant that as per the Amended Memo of Parties, wife Ms. Asha Mathur is one of the LRs of Mr. Mahesh Dayal Mathur and she is stated to have died on 26.03.2024. He seeks an adjournment to move appropriate application in this regard.

Put up for further proceedings on **09.04.2025**.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 (s)

A.No. 260/20, 127/20 & 92/20

11.12.2024

Present : Sh. Arun Vohra, Ld counsel for the appellant joined through VC.
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Ld. counsel for appellant informs that they have already applied to ASI seeking necessary permission for making alteration in the building. He submits that the permission is awaited and seeks a short adjournment to take further steps in this regard. Accordingly, put up for purpose already fixed on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 J

A.No. 220/20

11.12.2024

Present : Sh. S.C. Singhal, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Aditya Goel, Ld. counsel for intervener joined through VC alongwith Sh. Ashok Golas, intervener present in the court.

Part arguments heard.

Put up for further arguments on the point of appeal on 20.03.2025 at 2.30 p.m.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 418/20 & 419/20

11.12.2024

Present : Ms. Anjna Gosain, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Part arguments on the point of appeal heard.
Ms. Anjana Gosain, Ld. counsel for appellant seeks an adjournment to file affidavit apprising about the covered area of the property. Opportunity granted.
Re-list for further arguments on the point of appeal on 20.03.2025 at 2.30 p.m.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 610/24

11.12.2024

Present : Sh. Ramesh Kumar, Ld counsel for the appellant.
Sh. Ajay Gaur, Ld counsel for the respondent.

Part arguments heard.

Some assistance is required from the concerned JE(B) and AE(B) who have booked the property in question.

The officers concerned are directed to appear in person before the court on next date of hearing.

Put up for further arguments on interim application as well as appeal on 16.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 J

A.No. 442/24, 443/24 & 923/24

11.12.2024

Present : Appellant No.1 in person alongwith Sh. Tarun Chawla,
attorney of appellant No.2.

File taken up today on an application seeking early hearing in the matter.

Appellant submits that his property is going to be sealed by the MCD and the interim application be decided on priority.

Notice of the application is accepted by Ms. Renu Soni, Nodal officer, MCD.

Put up for arguments on application on 12.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 1060/24

11.12.2024

Present : Sh. Viney Sharma , Ld counsel for the appellant.

Part arguments heard.

Ld. counsel for appellant seeks an adjournment to seek instruction for impleadment of Cooperative Group Housing Society.

Put up for consideration on 13.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 199/2022

11.12.2024

Present : None for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of the
respondent / MCD.

Nodal Officer / MCD informs that the date in the
present matter was fixed for 12.12.2024 but
inadvertently matter is listed today.

Accordingly, the matter be listed for purpose fixed on
12.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024

A.No. 1059/24

11.12.2024

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

Part arguments heard.

Put up for consideration on 13.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 997/24

11.12.2024

Present : Sh. K.N.Singh, Ld counsel for the appellant
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Ld. counsel for respondent / MCD submits that he has not received copy of appeal so far and needs some time to study matter and to take instruction before addressing arguments in the matter.

Ld. counsel for appellant submits that they will supply copy of appeal and documents during the course of the day.

Put up for arguments on interim application and appeal on 20.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 799/24

11.12.2024

Present : Sh. Aysuh Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
along with Sh. Kuldeep Narwal, AE(B).

Part arguments heard.

Ld. counsel for respondent / MCD seeks some time to
take instruction for tendering clarifications in respect of
khasra number in terms of previous order.

Opportunity granted.

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

Put up for further proceedings and clarifications on
23.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

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

11.12.2024

Present : Sh. Aysuh Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent
along with Sh. Kuldeep Narwal, AE(B).

Put up for consideration on 23.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 780/24

11.12.2024

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

Arguments on the point of appeal are addressed by
both the parties at length.

Put up for orders on 12.12.2024.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 182/24

11.12.2024

Present : Sh.Neeraj Kumar Singh , Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Ld. counsel for appellant seeks an adjournment to file structural safety certificate of property as per Section 3(3)(b) National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Opportunity granted.

During the course of arguments, it surfaced that appellant has filed an affidavit (at page 74A of the appeal) giving measurement of covered area at ground floor. Ld. counsel for appellant submits that inadvertently due to typographical error measurement units have been mentioned wrongly in the affidavit and seeks an opportunity to file a fresh affidavit giving measurement of covered area at ground floor. Affidavit be filed on or before next date of hearing. Advance copy be supplied to the Ld. counsel for respondent / MCD.

At joint request of parties, matter be relisted for further arguments on application seeking stay and appeal on 08.01.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 203/24

11.12.2024

Present : Ms. Vasu Gupta , Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for appellant submits that she is unwell and shall take steps in terms of previous order and seeks an opportunity to file structural safety certificate in terms of previous order. Opportunity granted.

Put up for further arguments on application seeking stay and appeal on 08.01.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 418/24

11.12.2024

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

Mr. Prateek Jain, Ld. counsel for appellant submits that he is recently engaged in this matter and seeks some time to file Vakalatnaama.

Put up for arguments on application seeking condonation of delay, interim application and appeal on 21.03.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 703/23, 704/23 & 649/23

11.12.2024

Present : Ms. Khushboo Sharma, Ld counsel for the appellant.
Fresh Vakalatnama is filed. It be taken on record.
Sh. V.K.Aggarwal, Ld counsel for the respondent in
appeal nos.703/23 & 649/23.
Ms. Renu Soni, Nodal Officer on behalf of the
respondent / MCD in appeal no.704/23.

Ld. counsel for appellant submits that she is recently
engaged in this matter and needs some time to
inspect the record before addressing arguments.

Put up for the purpose already fixed on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 83/22

11.12.2024

Present : Sh. Mukesh Kumar Verma, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of appellant to file additional documents in support of the appeal.

Ld. counsel for respondent / MCD strongly opposes the adjournment request. He submits that appellant is delaying matter and enjoying interim protection in the grab of filing additional documents in the present matter.

Perusal of record shows that in past various adjournments have been sought to file additional documents.

Appellant is at liberty to take appropriate steps to file documents. It is made clear that no further request for adjournment shall be entertained in the present matter.

Put up for arguments on interim application and appeal on 14.02.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 452/17 & 700/19

11.12.2024

Present : Proxy counsel for the appellant.
Ms. Sudesh Sharma, Ld counsel for the respondent in
appeal no.700/19.
Sh. Jatin Aggarwal, Ld.counsel for the respondent in
appeal no.452/17.

Adjournment is sought on behalf of appellant as main
counsel Sh. G.K.Kaushik is not available today due to
bad health.

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

Put up for the purpose already fixed on 23.04.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 R

A.No. 115/21

11.12.2024

Present : Sh. Arpan Rathore, Ld counsel for the appellant.
Sh. Saurbh Bhasin , Ld counsel for the respondent.

Part arguments on the point of appeal heard.

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

In the interest of justice, one last and final opportunity is granted to appellant to address arguments.

It is clarified that no further request for adjournment shall be entertained in the matter.

Put up for further arguments on the point of appeal on 14.02.2025.

(ABHILASH MALHOTRA)
P.O.: Appellate Tribunal, MCD
11.12.2024 J