

A.No. 985/24

05.03.2025

Present : Sh. N.K.Nayyer , Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent nos. 1 to 3.
Sh. Dalip Rastogi, Ld. counsel for the respondent nos.4 to 6. Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

Status report is filed by respondent / MCD. Copy supplied.

List of documents is filed by Ld. Counsel for respondent nos. 4 to 6 containing copy of counter affidavit filed by MCD in WP (C) no.7291/2024. Copy supplied.

Ld. Counsel for appellant submits that he needs to peruse the report and documents filed in the Tribunal before addressing further arguments in the matter. Opportunity granted.

Put up for further arguments on pending interim applications and appeal on 23.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 355/21, 356/21 & 435/21

05.03.2025

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

Ld. counsel for MCD submits that Dy. Commissioner Mr. Vikram Singh Malik has been transferred and he is in process to ascertain about his current posting to communicate about the orders. He submits that the AE(B) concerned will appear before this Tribunal on the next date of hearing to render necessary assistance.

Accordingly, put up for further arguments on the point of appeal on 16.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 40/24

05.03.2025

Present : Sh. Javed Khan, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.
Sh.Vijay Kinger. Ld. counsel for the intervener joined through VC.

Ld. Counsel for appellant seeks some time to file reply to the application under Order 1 Rule 10 CPC.

In the present case, application seeking condonation of delay is pending. Before proceeding further in the matter to hear and adjudicate the application under Order 1 Rule 10 CPC, it is necessary and prudent to decide the application seeking condonation of delay. Ld. Counsel for appellant seeks some to take instructions before addressing arguments on the same.

Put up for arguments on application seeking condonation of delay on 16.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 1023/24

05.03.2025

Present : Sh. Jayant Tiwari, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

An application seeking condonation of delay is moved by appellant. Copy supplied to Ld. Counsel for respondent / MCD.

Ld. Counsel for respondent / MCD seeks some to file reply to the aforesaid application.

Put up for further arguments on application seeking condonation of delay and pending interim applications as well as appeal on 08.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 07/24

05.03.2025

Present : Mohd Tariq Farooqi, Ld counsel for the appellant from Legal Aid Cell along with appellant in person. Fresh Vakalatnama filed, same is taken on record.
Sh. Avishek Kumar, Ld counsel for the respondent.

Ld. counsel for the appellant submits that he has been recently engaged in this case and needs some time to inspect the file before addressing arguments in the matter.

Put up for purpose fixed on **16.07.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 125/24

05.03.2025

Present : None for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

No one is appearing on behalf of appellant since morning despite repeated calls either in person or through VC.

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

Put up for arguments on the point of appeal on **16.07.2025.**

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 453/21

05.03.2025

Present : Sh. Sushil Kumar proxy counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent.
Intervener in person.

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

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

Put up for purpose fixed on 16.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 758/18

05.03.2025

Present : Sh. Abhishek Singh, Ld counsel for the appellant.
Sh. ,Pardeep proxy counsel for the respondent with
Sh. Dharambir Singh, Consultant.

It is submitted that Ld. counsel for NDMC Sh. Sanjay Sharma is unavailable today being busy before the Hon'ble High Court of Delhi.

In the interest of justice, NDMC is given last and final opportunity to address arguments in the matter.

Re-list for arguments on application under Order 6 Rule 17 CPC and other pending applications as well as appeal on 26.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 184/20 & 159/20

05.03.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
joined through VC.
Intervener Sh. Niranjan in person.

Part arguments on the point of appeal heard.

Ld. counsel for the appellant seeks some time to place on record some additional documents in support of the appeal. Some clarifications are also required from the then AE(B). He is directed to appear in person on next date of hearing.

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 677/22

05.03.2025

Present : Sh. Satyender Kumar Singh, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.

Ld. counsel for appellant seeks adjournment as he is not feeling well today.

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

Put up for purpose fixed on 16.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 652/24

05.03.2025

Present : Sh. R.K. Sharma, Ld counsel for the appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent.

Status report is filed by the MCD. The said status report does not mention unit of the area.

AE(B) concerned is directed to file fresh report clarifying units and the size of the covered area as mentioned in the report.

Ld. counsel for appellant seeks some time to file an affidavit in terms of the previous order. Opportunity granted.

Put up for purpose fixed on 07.04.2025.

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

AE(B) concerned is directed to remain present in person on next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 201/17

05.03.2025

Present : Mohd. Atif Khan, Ld. Proxy counsel for the appellant.
Sh. Kanwar Kocchar, Ld counsel for the respondent
joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Kamal Singh 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.

Put up for arguments on the point of appeal on **16.07.2025.**

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 50/18

05.03.2025

Present : Sh. Banka Bihari Panda, Ld counsel for the appellant.
Fresh Vakalatnama filed on behalf of the appellant,
same is taken on record
Sh. Ashutosh Gupta, proxy counsel for Sh. H.R.
Aggarwal, Ld counsel for the respondent.

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

Put up for arguments on interim application and
appeal on 17.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 106/19

05.03.2025

Present : Sh. Shubham Kaushik, Ld counsel for legal heirs of
appellant.
Sh. Zia Lal, Nodal Officer, MCD.

Part arguments on application seeking impleadment of
LRs heard.

Put up for further arguments on the aforesaid
application on 27.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 323/23

05.03.2025

Present : Sh. Rishab Mishra, Ld counsel for the appellant.
Sh. Zia Lal Kasana, Nodal Officer on behalf of the
respondent / MCD.

Affidavits in respect of Ms. Kusum Lata, Sh. Girja
Shanker, Ms. Anita Rani, Ms. Kamla, Ms. Usha Devi,
Ms. Namrata Rawat and Ms. Shweta Bansal is filed
by appellant. Copy supplied.

Put up for further arguments on pending interim
applications and appeal on 16.07.2025.

Interim protection granted vide order dated 09.06.2023
to continue till next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 212/10, 243/10, 410/10, 294/10, 217/10, 241/10, 552/10, 553/10
& 117/10.

05.03.2025

Present : Sh. Ankit Kumar and Sh. Shreyansh Anand, Ld
counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
in appeal No. 212/2010.
Sh. A. L. Agnihori, Ld counsel for the respondent in
appeal No. 241/2010
Sh. Mohit Sharma, Ld counsel for the respondent in
appeal No. 294/2010, 217/10 & 117/10.
Sh. V.K. Aggarwal, Ld. proxy counsel for Ms. Praveen
Sharma, Ld counsel for the respondent in appeal No.
243/2010.
Ms. Sudesh Sharma, Ld. counsel for respondent in
appeal No.552/10.
Ms. Beena Pandey, Ld. counsel for respondent in
appeal No.410/10.
Sh. Zia Lal, Nodal Officer, MCD for Sh. Umesh
Burnwal, Ld. counsel for respondent in appeal
No.553/10.

Part arguments on the point of appeal heard.

Some clarifications are required from the then AE(B).

He is directed to appear in person on next date of
hearing.

Put up for further arguments on the point of appeal on
17.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 935/15, 932/15, 395/16, 396/16, 398/16, 399/16, 859/15, 876/15, 877/15, 931/15, 861/15, 881/15, 933/15, 857/15, 860/15 & 862/15

05.03.2025

Present : Sh. Ankit Kumar & Sh. Shreyansh Anand, Ld. counsel for the appellant.

Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal no. 932/15.

Sh. Mohit Sharma, Ld. Counsel for the respondent in appeal no.395/16.

Sh. Madan Sagar, Ld. Counsel for the respondent in appeal nos.396/16 & 399/16.

Sh. V.K.Aggarwal, Ld. Counsel for the respondent in appeal no.398/16 & 876/15

Sh. Nahar Singh Yadav, Ld. counsel for the respondent in appeal nos.859/15, 877/15 & 861/15.

Ms. Manjusha Jha, Ld. counsel for the respondent in appeal nos. 933/15, 857/15, 860/15 & 862/15

Sh. Zia Lal Kasana, Nodal Officer on behalf of the respondent / MCD in appeal nos. 931/15, 935/15 & 881/15

Part arguments on the point of appeal heard.

It is the case of appellant that they have applied with the MCD seeking necessary permission for installation of mobile tower.

Ld. Counsel for appellant submits that no written permission was received from the MCD in respect of their applications.

Ld. Counsel for respondent / MCD submits that he needs to take instructions from the department to apprise the status of the applications moved by appellant seeking necessary permission for installation of mobile tower.

MCD is directed to file status report clarifying the fate of said applications.

Put up for further arguments on the point of appeal on 17.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 596/14 & 597/14

05.03.2025

Present : Sh. Gaurav Singhal, Ld counsel for the appellant
joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. Counsel for appellant submits that he is busy before the District Court, Gaziabad, Uttar Pradesh and not in a position to argue the matter.

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

Put for the purpose already fixed on 17.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No121/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Prashant Diwan , Ld. counsel for the appellant along with appellant.

Part arguments heard.

In para 3 of the appeal, appellant is stated that they have earlier filed the appeal no.472 / 2015 assailing the demolition order dated 08.09.2014. In order to appreciate the facts in this case, it is necessary to look into the said record.

Accordingly, the Registry is directed to produce the record of the said case before the Tribunal on the next date of hearing.

Put up for consideration on 07.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 129/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Arjun Singh Bawa, Ld. counsel for the appellant along with Sh. Sahil Gupta and Sh. Siddhartha, Advocates.

Ld. Counsel for appellant submits that the present appeal is filed in respect of ground floor of property in question.

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.

MCD is also directed to produce the record pertaining to sanctioned building plan bearing file no. 5326(B) dated 26.12.1961 in respect of the property in question.

Put up for arguments on interim application(s) and appeal on 12.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 128/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Arjun Singh Bawa, Ld. counsel for the appellant along with Sh. Sahil Gupta and Sh. Siddhartha, Advocates.

Ld. Counsel for appellant submits that the present appeal is filed in respect of first floor of property in question.

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.

MCD is also directed to produce the record pertaining to sanctioned building plan bearing file no. 5326(B) dated 26.12.1961 in respect of the property in question.

Put up for arguments on interim application(s) and appeal on 12.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 127/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Puneet Goel, 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 03.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 126/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Saroj Kumar Jha, 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 02.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025

A.No. 610/24

05.03.2025

Present : None for the appellant.
Sh. Satish Gautam, AE(B) with Sh. Ajay Gaur, Ld
counsel for the respondent.

1. None has appeared on behalf of the appellant today in the Tribunal or through VC.
2. Vide judgment dated 28.02.2025 the appeal in respect of third floor and fourth floor of the property bearing No.45A, Mall Road, Delhi had been dismissed.
3. On 11.02.2025 the appellant had given a statement before this Tribunal to completely remove the unauthorized structure at the fourth floor of the property in question. Thereafter MCD filed status report before this Tribunal that the complete structure is not demolished by the appellant.
4. On 28.02.2025 the appellant filed an affidavit before the Tribunal seeking two days time to demolish the remaining unauthorized structure. MCD filed a status report dated 04.03.2025 wherein it is informed that the demolition work is still going on at very slow pace. Mr. Satish Gautam, AE(B) informs that the complete unauthorized structure has not been demolished

by the appellant on the fourth floor of the property so far.

5. From the aforesaid it is clear that the appellant has not abided the undertaking which was given before this Tribunal. In these circumstances, this Tribunal is not left with any other option but to direct the MCD to carry out demolition action in respect of the unauthorized construction existing on the fourth floor of property in question and file status report before this Tribunal on 11.03.2025.
6. It is clarified that the demolition action against the third floor of the property in question be only initiated after expiry of the period of filing of appeal against the judgment dated 28.02.2025 passed by this Tribunal.
7. SHO PS: Timarpur is directed to provide necessary assistance to MCD officials for compliance of directions issued by this Tribunal.

Put up for further proceedings on **11.03.2025**.

AE(B) concerned is directed to remain present in person on next date of hearing.

Copy of this order be sent to SHO PS: Timarpur for necessary compliance.

Copy of this order be given dasti to both parites.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 693/24

05.03.2025

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

1. Ld. counsel for MCD submits that he needs some time to take further instructions from the department before addressing arguments in the present appeal specially under the circumstances when the Court of Ld. Principal District & Sessions Judge, New Delhi District is lying vacant and no Presiding Officer has been appointed so far.
2. An application seeking temporary desealing of the property is moved by the appellant. Ld. counsel for appellant submits that the sewer line in the sealed premises is blocked and needs to be cleared immediately as it is causing health hazards. He prays that the property in question be desealed for a period of one day to take necessary steps in this regard.
3. Ld. counsel for MCD on instructions submits that without prejudice to their rights and contentions they have no objection for temporary desealing of the property only for a limited purpose of clearing the sewer line. Accordingly, the application is allowed.
4. At joint request of parties, the property in question be temporarily desealed for a period of 24 hours

on 06.03.2025 at 12.00 p.m. for limited purpose of clearing the sewer line in the property. In case the work is completed prior to 24 hours, MCD is at liberty to reseal the property. Status report be filed before the Tribunal on next date of hearing.

Put up for further proceedings on 03.04.2025.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 117/25

05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Parminder Singh Goindi , 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 10.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 125/25
05.03.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Aditi Aggarwal, Ld. counsel for the appellant
joined through VC.

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.

An application seeking temporary desealing of property is also moved by appellant.

Notice of application be also issued to MCD.

Ld. counsel for appellant submits that there is godown in the property and articles which needs to be sold on the festival of holi are lying in the property. She submits that the said articles are seasonal and perishable in nature and in case permission is not granted for temporary desealing appellant shall suffer irreparable loss.

Ld. Counsel for appellant requests a short hearing in the matter in view of aforesaid exigency.

Put up for arguments on application seeking temporary desealing and pending interim application(s) as well as appeal on 07.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 R

A.No. 1014/24

05.03.2025

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

1. An application seeking urgent hearing is moved on behalf of the appellant. It is stated in the application that appellant had received a vacation notice dated 25.02.2025 from MCD and in view of the same the interim application seeking stay moved by the appellant needs to be heard on priority.

2. Ld. counsel for the appellant has placed before this Tribunal copy of order dated 03.03.2025 passed by Hon'ble High Court of Delhi in W.P. (C) 2624 of 2025. By said order Hon'ble High Court of Delhi has issued the following directions:

11. Accordingly, without entering into the merits of the case, this writ petition is disposed of directing ATMCD to take up the urgent application dated 27.02.2025 filed by the Petitioner in appeal No.1014/2024 within a period of three weeks from today. Till such time the application is taken up for hearing, MCD will not give effect to the impugned vacation notice dated 25.02.2025. It will be open to ATMCD to consider the application on its own merit and to continue/vacate/vary or modify the order passed today, in accordance with law.

3. In compliance of directions issued by Hon'ble High Court of Delhi, MCD is directed not to give effect to vacation notice dated 25.02.2025 till next date of hearing.

4. Accordingly, notice of the application seeking early hearing be issued to the MCD and matter be listed

for arguments on the interim application seeking stay as well as on the point of appeal on **18.03.2025.**

Copy of this order be given dasti to both the parties.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 708/24

05.03.2025

Present : Sh. Amit Kumar Khandelwal, Ld counsel for the
appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Arguments on application seeking condonation of
delay heard at length from both the parties.

Put up for orders on 06.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 182/24

05.03.2025

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

1. Status report is filed by the MCD informing that regularization application was moved by the appellant before the Office of Worthy Commissioner, MCD on 24.02.2025 and the same is yet to be received by the officials of K. P. Zone.
2. By order dated 27.02.2025 this Tribunal had issued directions for expeditious disposal of the regularization application of the appellant. Despite that the application is still in transit and suffering bureaucratic delay.
3. In these circumstances, notice be issued to the Deputy Commissioner, concerned to file a status report and explain why no action has been taken by MCD to decide regularization application on priority in view of the directions issued by this Tribunal vide order dated 27.02.2025.

Put up for filing of status report and further proceedings on **07.03.2025**.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 203/24

05.03.2025

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

1. Status report is filed by the MCD informing that the regularization application is still under consideration and not yet decided.
2. By order dated 17.02.2025 this Tribunal has issued categorical time bound directions to decide the regularization application. Despite the said directions, the Executive Engineer (B) and AE(B) concerned are sitting on the application and not deciding the same.
3. Accordingly, Show Cause notice be issued to the Executive Engineer (B) as well as AE (B) concerned to appear in person and tender explanation for not adhering to the directions issued by this Tribunal.

Put up for further proceedings on **07.03.2025**.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 350/22 & 367/19

05.03.2025

Present : Sh. R.N. Singh, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent in appeal No.350/22.
Sh. Avishek Kumar, Ld. counsel for the respondent in appeal No.367/19.

Vide separate common judgment of even date, the present appeals are dismissed.

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 91/25, 318/22 & 357/22

05.03.2025

Present : Sh. Parinav Gupta, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for respondent in appeal No. 318/22 & 357/22.
Sh. Sanjay Sethi, Ld. counsel for respondent in appeal No. 91/25.

Amended Memo of parties is filed by Ld. counsel for the appellant.

Mr. Parinav Gupta, Ld. counsel submits that he is appearing for all the appellants in the present matter except appellant no. 7 Smt. Savita Jain.

Mr. Raj Kumar, Ld. counsel submits that he is appearing on behalf of appellant no. 7 Smt. Savita Jain.

Arguments on the point of appeal are addressed by Ld. counsels for the appellants as well as Ld. counsels for the MCD.

Arguments could not be concluded today as fresh appeal bearing Appeal No. 91/2025 has been filed by the appellants impugning the revocation of the site plan.

Ld. counsel for the MCD in Appeal No. 91/2025 submits that he is yet to receive instructions from the Department and seeks sometime to file status report as well as record.

Accordingly, put up for further arguments in Appeal No. 91/2025 on **24.03.2025**.

Interim orders to continue till the next date of hearing in appeal no. 357/22 vide order dated 07.07.2022.

The undertaking given by the MCD on 23.12.2024 for not taking any coercive action in respect of the property of the appellants in appeal no. 318/2022 to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (s)

A.No. 216/10

05.03.2025

Statement of Ankit Kumar Ld. counsel for appellant,
Office at D-21, third floor, Jangpura Extension, New
Delhi.

At Bar.

I am the counsel for appellant in the present appeal. I
have instructions to withdraw the present appeal, the
same may be dismissed as withdrawn.

RO&AC

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)

A.No. 216/10

05.03.2025

Present : Sh. Ankit Kumar and Sh. Shreyansh Anand, Ld
counsel for the appellant.
Sh. V.K. Aggarwal, 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 of appellant
has been recorded in this regard.

In view of the facts and circumstances, 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)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.03.2025 (J)