

A.No. 514/24

10.03.2025

Present : Sh. Dhurv Goel, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Proxy counsel for Sh. Atul  
Tanwar, Ld counsel for the respondent.

In the status report dated 06.02.2025 filed by the Ld. Counsel for respondent / MCD, it is apprised that the Committee headed by the worthy Chief Secretary, GNCT of Delhi has to deal with matter in respect of sealing which has been carried out pursuant to the order of GNCT of Delhi.

Ld. Counsel for respondent / MCD seeks some time to clarify about the constitution of the said Committee and also about the adjudicatory powers which have been conferred upon said Committee to hear the appeal against sealing orders passed by MCD.

Put up for further arguments on the point of appeal on 02.04.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 542/17 & 543/17

10.03.2025

Present : Sh. Amit Sethi, Ld. counsel for the appellant.  
Sh. Anand Sharma, Ld. Proxy counsel for the respondent along with Sh. Ashok Kumar, Sr. Asst. NDMC.

Part arguments heard.

An adjournment is sought on behalf of NDMC as main counsel Mr. Sanjay Sharma is not available today due to bad health.

In the interest of justice one last and final opportunity is granted to the NDMC to address arguments in this matter.

Put up for further arguments on interim application as well as on the point of appeal on **27.03.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (s)

A.No. 899/24

10.03.2025

Present : Sh. Rounak Nayak, Ld counsel for the appellant.  
Fresh Vakalatnama is filed.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

No time left for today and arguments could not be concluded.

Accordingly, the hearing in the matter is rescheduled for the purpose already fixed on 29.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 625/23

10.03.2025

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

1. Arguments on the application under Section 5 of the Limitation Act heard from both the parties.
2. Ld. counsel for the appellant submits that due to some medical exigencies in his family, the appellant was not able to file appeal on time. Copy of the medical documents are also filed alongwith application.
3. Ld. counsel for MCD submits that the Tribunal may decide the application as per law.
4. Arguments heard. Record perused. Appellant has placed on record the medical documents to show that due to medical exigencies which was suffered by his family, the delay in filing of appeal has occurred. The appellant has been able to show sufficient cause for condoning the delay. The application seeking condonation of delay is allowed. Delay is condoned.
5. Arguments on application under Section 347-C of DMC Act read with Order 7 Rule 14 CPC heard.
6. Ld. counsel for appellant submits that they are relying upon the additional documents which goes to the root of the matter and are necessary for adjudicating the present appeal.
7. Ld. counsel for MCD submits that without prejudice to their rights and contentions and their rights to

verify these documents, the Tribunal may consider the application as per law.

8. Arguments heard. Record perused. Ld. counsel for appellant has placed on record the water bill, property tax returns, electricity bill etc. to substantiate his case in the present appeal. The documents placed on record are relevant for adjudication of the present appeal, therefore, the application is allowed and documents are taken on record. However, MCD is at liberty to verify the said documents.

Put up for arguments on the point of appeal on 21.07.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 89/20

10.03.2025

Present : Sh. Raj Kumar Yadav, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Sh. Ashish Upadhayay, Ld. counsel for intervener.

Put up for arguments on pending application as well as appeal with connected appeal on 27.05.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 115/25

10.03.2025

Present : None for the appellant.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls.

It is 2.55 p.m. No adverse order is being passed today in the interest of justice.

Put up for consideration on 03.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 997/24

10.03.2025

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

Part arguments on the limitation application heard.

During the course of arguments Ld. counsel for appellant submits that appellant had sold the property in question to third parties and complete documents are not filed on record.

In order to adjudicate the present matter, it is necessary to have fair understanding about the parties involved in the matter.

Ld. counsel for appellant seeks some time to place on record the affidavit of the appellant as well as the title documents apprising about the parties to whom appellant No.1 had sold the property after acquiring complete title in the property in question.

Put up for further arguments on limitation application on 18.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)



A.No. 112/24

10.03.2025

Present : Ms. Shilpa Saini, Ld counsel for the appellant. Fresh Vakalatnama filed, same is taken on record.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status is filed by the MCD in terms of the previous order, copy supplied.

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

In the interest of justice, put up for arguments on interim application as well as appeal on 18.07.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 973/24, 974/24, 975/24, 976/24, 977/24, 760/24, 972/24,

10.03.2025

Present : Sh. Charan Jeet, Ld counsel for the appellant.  
Sh. Pritish Sabharwal, Ld. counsel for respondent  
joined through VC.

Vakalatnama is filed on behalf of appellant (s). The  
same is taken on record.

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

Put up for purpose fixed on **21.07.2025**.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (s)

A.No. 153/24

10.03.2025

Present : Sh. Hemant Kumar, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.

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

Ld. Counsel for appellant seeks some time to file detailed affidavit and supporting documents in respect of the application.

Put up for further arguments on application seeking condonation of delay and appeal on 12.06.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 573/13

10.03.2025

Present : Sh. Maninder Singh, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.  
Sh. Anupam Sharma, Ld. counsel for DDA.

No time left for today and arguments could not be heard.

Accordingly, the hearing in matter is rescheduled for the purpose already fixed on 07.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 783/24

10.03.2025

Present : None for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

None is present on behalf of the appellant since morning despite repeated calls either through VC or in person.

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

Put up for purpose fixed on **18.07.2025**.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (s)

A.No. 1052/24

10.03.2025

Present : Sh. Sanjay Mandawat and Sh. Sachin Kumar, Ld  
counsel for the appellant.

Sh. Avishek Kumar, Ld counsel for the respondent.

Part arguments on limitation application heard. Ld.  
counsel for appellant seeks some time to address  
further arguments on the said application.

Put up for arguments on application seeking  
condonation of delay on 12.06.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 88/20

10.03.2025

Present : Sh. Raj Kumar Yadav, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Sh. Ashish Upadhayay, Ld. counsel for intervener.

1. An adjournment is sought on behalf of the appellant as father of the appellant is hospitalized and undergoing surgery.
2. Ld. counsel for appellant submits that he has no instructions to address the arguments today and seeks a short adjournment.
3. Ld. counsel for intervener strongly opposes the adjournment request. He submits that the intervener is owner of first floor in the property and due to unauthorized construction there is a problem of water clogging in the property and the intervener is unable to use his property. He submits that appellant is enjoying the interim protection granted by this Tribunal and is seeking continuous adjournments to defer the hearing. He requests that hearing in the appeal be expedited so that the intervener can use his property.
4. Perusal of record shows that the interim protection was granted in this case by my Ld. Predecessor vide order dated 25.02.2020, and is yet to be made absolute.
5. In view of the aforesaid facts and circumstances, appellant is given last and final opportunity to

address arguments in the matter failing which The Tribunal shall be constrained to re-consider the interim protection granted in the matter.

6. It is made clear that no request of further adjournment shall be entertained in the matter.

Put up for arguments on pending interim application as well as appeal on 27.05.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)



A.No. 1070/24

10.03.2025

Present : Sh. Proxy counsel for the appellant.

It is submitted that main counsel for appellant Mr. Ravi  
Sharma is unavailable today being out of station.  
Put up for consideration on 01.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 36/25

10.03.2025

Present : Sh. Vijay Kasana, Ld counsel for the appellant joined through VC along with Sh. Ankit Kumar, Advocate in person.

Sh. Ashutosh Gupta , Ld counsel for the respondent.

Ld. Counsel for appellant submits that as the appellant was unwell therefore, he is not able to move application before the Hon'ble High Court of Delhi and seeks an adjournment.

Accordingly, put up for the purpose already fixed on 20.03.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 132/25

10.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. G.R. Verma , Ld. counsel for the appellant.

Part arguments heard. Ld. counsel for the appellant seeks some time to file affidavit of Mr. Raj Kumar, Architect, who got the sanctioned building plan from the MCD.

Put up for consideration on 20.03.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 53/25

10.03.2025

Present : Ms. Parul Agarwal , Ld counsel for the appellant.  
Sh. Avishek Kumar, Ld counsel for the respondent.

In Para 'V' of the appeal, appellant has disputed the jurisdiction of MCD to take action in respect of property K.No.462/2, 60 Foota Road, Swaroop Nagar Road, Delhi-110084, in view of notification dated 28.01.2019.

Some clarifications are required in the matter, 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 17.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 1048/24 & 1049/24

10.03.2025

Present : Sh. G.R. Verma, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld. proxy counsel for Sh. Atul Tanwar, Ld counsel for the respondent.

Matter is taken up today on an early hearing application moved by the appellant. It is submitted by the Ld. counsel for the appellant that they want to press their interim application seeking stay as the MCD is planning to take coercive action against their property.

Mr. Ashutosh Gupta, Ld. counsel appearing on behalf of Mr. Atul Tanwar, Ld. counsel for MCD informs that this matter has been marked by MCD to Mr. Atul Tanwar, who is hospitalized and not in a position to appear before this Tribunal.

Mr. Ashutosh Gupta, submits that he has taken instructions from the AE(B) concerned Mr. Mukesh Gaur who in these unavoidable circumstances has informed that as the arguing counsel for MCD is hospitalized, therefore, MCD will hold the demolition action against the property in question till next date of hearing.

Accordingly, in view of the aforesaid facts, the application seeking early hearing is disposed off.

Put up for arguments on interim application seeking stay and appeal on date already fixed i.e.07.05.2025.

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

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 130/25

10.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Dalip Rastogi, 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  
10.03.2025

A.No. 137/25

10.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. G.R. Verma, 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 07.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025

A.No. 412/24

10.03.2025

Present : Ld. counsels for the parties.

On 28.02.2025 the matter was reserved for orders. Thereafter, written synopsis along with list of documents filed by the appellant. Some clarification is required.

Put up for further arguments on the point of clarification on **22.04.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (s)



A.No. 212/21

10.03.2025

Present : Sh. Vikrant Pachnanda, Ld counsel for the appellant  
joined through VC.

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

List of documents containing the medical documents  
of the appellant are placed on record. Copy supplied.

Put up for arguments on application under section 5 of  
the Limitation Act on 18.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 242/21 & 258/21

10.03.2025

Present : Sh. Sumit Gaba, Ld counsel for the appellant  
alongwith appellant in person.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for appellant seeks some time to take instructions in the matter and apprise the status about filling of basement. He submits that other cases pertaining to the same property is listed for 01.04.2025.

Accordingly put up for purpose fixed on 01.04.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 724/18 & 725/18

10.03.2025

Present : Sh.Manoj Kumar, Ld counsel for the appellant.  
Ms. Praveen Sharma, Ld counsel for the respondent.

It is already lunch time. In the post lunch session arguments in appeal No.573/13 had been already scheduled, therefore, arguments could not be heard today.

Put up for further arguments on the point of appeal on 10.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 469/19 & 468/19

10.03.2025

Present : Ms. Aditi Aggarwal , Ld counsel for the appellant joined through VC alongwith appellant present in the Court.

Sh. S.Adil Hussain, Ld counsel for the respondent in appeal No.469/19.

Sh. R.K. Kashyap, Ld. counsel for the respondent in appeal No.468/19.

Sh. G.R. Verma, Ld. counsel for intervener.

List of documents has been filed by the appellant containing house tax receipts. Copy supplied.

Put up for arguments on the point of appeal on 21.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 946/24

10.03.2025

Present : Sh. Rahul Jaryal, Ld counsel for the appellant.  
Sh. Anupam Sharma, Ld counsel for the respondent.

Arguments heard at length from both the parties.  
Put up for orders on 18.03.2025.  
Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 810/24 & 811/24

10.03.2025

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

Part arguments heard on the point of limitation heard.  
Ld. Counsel for appellant seeks some to place on record the copy of order passed by Hon'ble High Court of Delhi in WP(C) no.10974 / 2024 as stated in para 6 of limitation application.

Put up for further arguments on pending interim applications and appeal on 18.03.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 1047/24

10.03.2025

Present : Sh Ravi Dass, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

The record of appeal No.83/2021 is produced by the Registry.

Arguments on the points of appeal heard from both the parties at length.

Put up for orders today at 4.00 p.m.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (M)

A.No. 1047/24

10.03.2025

Present : Sh Ravi Dass, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Arguments on the point of interim applications and appeal heard from both the parties at length.

Vide separate judgment of even date, the present appeal is dismissed.

Record of the respondent (if any), 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  
10.03.2025 (M) R



A.No. 36/24

10.03.2025

Present : None for the appellant.  
Sh. Ashutosh Gupta, Ld. counsel for MCD.

None has appeared on behalf of appellant since morning before the Tribunal or through VC despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 2.45 PM. The present appeal is dismissed in default.

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

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 809/23

10.03.2025

Present : None for the appellant.  
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent joined through VC.

None has appeared on behalf of appellant since morning before the Tribunal or through VC despite various calls. None was present on behalf of the appellant on the last date of hearing as well.

It is 2.45 PM. The present appeal is dismissed in default.

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

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025(J)

A.No. 582/23

10.03.2025

Present : None for the appellant.  
Sh. Ashok Kumar Sr. Asstt from NDMC with Sh.  
Dharambir, consultant.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls. None was present on behalf of the appellant on last date of hearing as well.

It is 2.50 p.m. The present appeal is dismissed in default.

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

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 647/24

10.03.2025

Present : None for the appellant..I  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls.

It is 2.50 p.m. No adverse order is being passed today in the interest of justice.

Put up for purpose fixed on 18.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 470/19

10.03.2025

Present : Ms. Aditi Aggarwal , Ld counsel for the appellant joined through VC alongwith appellant present in the Court.

Sh. Pramodh Kaushik, Ld counsel for the respondent joined through VC.

Sh. G.R. Verma, Ld. counsel for intervener.

Ld. counsel for the appellant informs that they have already filed the documents in the connected appeal and no additional documents is required to be filed in the present appeal.

Ld. counsel for MCD informs that they have already filed status report dated 24.07.2024 in compliance of the order dated 06.02.2024.

Put up for arguments on the point of appeal on 21.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 934/24

10.03.2025

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

An adjournment is sought on behalf of the appellant as main counsel Sh. Sachin Tanwar 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 14.05.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 362/23

10.03.2025

Present : Sh. Arvind Kumar Gupta , Ld counsel for the appellant  
joined through VC.

Sh.Pawan Kaushik, Ld counsel for the respondent  
No.1.

None for respondent no.2.

Part arguments heard.

Arguments could not be concluded as none has  
appeared on behalf of respondent no.2 in person or  
through VC.

In the interest of justice, one more opportunity is  
granted to respondent no.2 to address arguments in  
the matter, failing which this Tribunal shall be  
constrained to proceed as per law.

Put for the purpose already fixed on 17.07.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 82/25

10.03.2025

Present : Ms. Parul Agarwal, Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent.  
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

Part arguments heard.

Some clarifications are required from AE (B) concerned in respect of site plan of property in question specially right side and left side of property as mentioned in the title documents of the property.

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 pending interim applications and appeal on 11.03.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R



A.No. 203/2024

10.03.2025

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

Vide separate judgment of even date, the present appeal is 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  
10.03.2025

A.No. 182/2024

10.03.2025

Present : Sh. A. R. Tripathi and Sh. Anil Pandey, Ld counsels  
for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Vide separate judgment of even date, the present  
appeal is 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  
10.03.2025

A.No. 108/25

10.03.2025

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

Present : Sh. Gurmit Singh, Ld counsel for the appellant.  
Ms. Sarita Gaur, Asstt. Law Officer / MCD along with  
Sh. S.A.Niyaji, AE(B).

Sh. S.A.Niyaji, AE(B) is present in the Tribunal. He submits that MCD has already sealed the property in question and they are not planning demolition action in respect of property in question till 19.03.2025. He submits that interim application be heard on merits and opposes the interim protection at this juncture.

In view of the submissions made by MCD, Ld. counsel for appellant seeks permission to withdraw the present application. Application is dismissed as withdrawn.

Put for the purpose already fixed on the date already fixed i.e. 19.03.2025.

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 87/25

10.03.2025

Present : Sh. Sanjeet Kumar and Ms. Deepali Sharma, Ld counsel for the appellant.

Sh. V.K. Aggarwal, Ld counsel for the respondent along with Sh. Harjit Singh, AE(B).

1. Record is produced. It be deposited with Registry and tagged with the file.
2. Status report is filed by the MCD, copy supplied.
3. Part arguments on the interim application heard. Ld. counsel for the appellant submits that they are in process of filing an appeal challenging the revocation of sanctioned building plan. He submits that his building plan was revoked on the ground of non submission of complete chain of ownership documents. He submits that appellant has filed before this Tribunal the title documents of the property showing the complete chain of documents. He seeks some more time to take instructions from the appellant for filing some additional documents in support of his appeal.
4. Ld. counsel for appellant further submits that MCD had already carried out demolition action and sealing action at third floor of the property. Ld. counsel for MCD confirms the same. He submits that ground floor of the property is also sealed.
5. Ld. counsel for appellant submits that on first floor and second floor the appellant is residing with his family. He submits that wife of appellant is

undergoing dialysis treatment and in case interim protection is not granted at this juncture, the family of the appellant will suffer irreparable loss and the appeal will become infructuous.

6. In view of aforesaid facts and circumstances, status quo be maintained in respect of first and second floor of property in question till next date of hearing.
7. Appellant is at liberty to place on record the documents he wants to rely upon in support of his appeal as per law, failing which the Tribunal shall hear further arguments in the matter.
8. 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.
9. 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.
10. The AE(B) and the then JE(B) are directed to remain present in person on the next date of hearing.

Put up for further arguments on interim application seeking stay as well as appeal on 28.05.2025.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 117/25

10.03.2025

Present : Sh. Parvinder Singh Goindi with Ms. Gurmeet Kaur Kapur, Ld counsel for the appellant.  
Sh. Nandan Goel, Ld counsel for the respondent with Sh. Girish Prakash, AE(B) and Sh. Abhishek Pandey, JE(B).

1. Part arguments on the point of appeal as well limitation application heard.
2. Ld. counsel for appellant submits that the property number belonging to the appellant is 101/A-1 whereas the MCD has booked the property bearing No.101/2 and 101/3.
3. Ld. counsel for MCD submits that the area is unauthorized colony wherein no municipal numbers have been assigned by the MCD. He submits that the numbers are privately allocated. He further submits that MCD booking has given longitude and latitude of the property which has been booked alongwith photographs.
4. In these circumstances, a joint inspection of the property is directed to be carried out. Accordingly joint inspection of the property be scheduled for 11.03.2025 at 12.00 Noon to identify the property which has been booked by the MCD. Photographs be also placed on record. Appellant is directed to tender necessary cooperation to the MCD officials.

5. SHO PS:Ranhola is directed to provide necessary security to the MCD official for carrying out the inspection.
6. As the joint inspection of the property is directed to be carried out, status quo be maintained in respect of the property in question till next date of hearing.
7. 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.
8. 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.
9. Put up for further arguments on pending interim applications seeking stay as well as appeal on **23.04.2025**.
10. Copy of the order be sent to the SHO PS: Ranhola through AE(B) and JE(B) concerned.
11. Copy of the order be given dasti to both the parties.
12. It is made clear that no further request for adjournment shall be entertained in the matter.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 (J)

A.No. 684/24

10.03.2025

Present : Appellant in preson.  
Sh. Chetan Hasija, Ld counsel for the respondent along with Sh. Sunil Kumar, AE(B).  
Sh. Satish Kumar Mishra, Ld. counsel for the intervener Sh. Sudhir Kataria. Fresh Vakalatnama is filed.

Status report is filed by respondent / MCD. Copy supplied. In the report it is informed that MCD had carried out inspection of property on 07.03.2025 and photographs are placed on record.

The said status report is not in compliance of the direction issued by the Tribunal on 22.11.2024. By the said order the Tribunal has sought clarifications from the MCD regarding inspection dated 17.05.2024 done by the then JE(B) and photographs of property taken during the said inspection. The report is absolutely silent about that.

The then JE(B) is directed to remain present in person before the Tribunal on the next date of hearing and apprise the status. A detailed status report be filed on the next date of hearing in terms of the order dated 22.11.2024.

An application under Order 1 Rule 10 CPC is moved by Dr. Sudhir Kataria. Notice be issued to the appellant.



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Put up for reply and arguments on application under Order 1 Rule 10 CPC and on the point of appeal on 06.05.2025.

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R

A.No. 134/25

10.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Vibhas Kumar Jha & Ms. Manju Pandey, 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 19.03.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025

A.No. 394/24

10.03.2025

Present : Sh. Kunal Mittal, Ld counsel for the appellant along with Sh. Sahil Munjal & Ms. Rhea Gandhi, Advocates.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. Counsel for respondent / MCD points out that in para 'E' of the appeal, the appellant has admitted that she is the owner of part portion of property in question but the other owners have not been impleaded in the present case.

Ld. Counsel for appellant submits that despite objection raised by MCD in respect of non-impleadment of other co-owners which are necessary parties, he has instruction to address arguments in the matter as the appellant being aggrieved person does not intend to carry out any amendment in appeal to implead other co-owners.

Arguments on pending interim applications and on the point of appeal are addressed by both the parties at length.

Put up for orders on 25.03.2025.

(ABHILASH MALHOTRA)  
Addl.District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
10.03.2025 R