

A.No. 266/15

25.03.2025

Present : Sh. R.K.Gupta, Ld counsel for the appellant joined through VC along with Sh. Deepak Sharma, Associate in person.
Sh. R.K.Singh, Proxy counsel for the respondent/ DDA.
Sh. Manish Yadav, Nodal officer DDA.
Ms. Madhurima Ghosh, Ld. counsel for respondent no.2 for AFNO CGHS Limited.

Part arguments heard.

Arguments could not be concluded today as Mr. Anupam Sharma, Ld. counsel for DDA is unavailable today due to bad health.

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

Put for the purpose already fixed on 10.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 361/24

25.03.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Zia Lal, Nodal Officer, MCD.

Nodal Officer submits that Ld. counsel for MCD Ms. Geeta Dhingra is unavailable today due to some person exigencies.

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

Put up for purpose fixed on 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 124/25

25.03.2025

Present : Sh. G.D.Mishra, Ld counsel for the appellant.
Ms. Vini, Proxy counsel for the respondent along with
Sh. Nihal Singh, AE(B).

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

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

There is mismatch of measurement as mentioned in
the property tax return and the affidavit filed by
appellant at page 73 to 74 of the appeal.

Ld. Counsel for appellant seeks some time to cross
check the same and to take instructions.

Put up for further arguments on pending interim
applications and appeal on 21.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 28/25

25.03.2025

Present : Sh. R.S.Rawat, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Reply to the application seeking condonation of delay is filed by MCD. Copy supplied.

Ld. Counsel for appellant seeks some time to peruse the same before addressing arguments in the matter.

Put up for further arguments on application seeking condonation of delay and pending interim applications as well as appeal on 02.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 163/25

25.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ramneek Mishra, Sh. Tajendra Rajawat, Ld.
counsels 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 02.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (s)

A.No. 790/24

25.03.2025

Present : Sh. Mithil Malhotra, Proxy counsel for the appellant.
Sh. Ashutosh Kumar , Ld counsel for the respondent
along with Sh. Sushil Kumar, AE(B).

1. An adjournment is sought on behalf of appellant as main counsel Mr. Sahil Garg is unavailable today due to bad health. Copy of medical certificate dated 22.03.2025 is also placed on record.
2. Ld. Counsel for respondent / MCD submits that he is not opposing adjournment request on medical ground. However, he points out that in the present case status quo has been granted by this Tribunal vide order dated 08.10.2024, as the interim application is part heard. He submits that despite lapse of around five months, the arguments on interim applications are yet to be concluded by the appellant. He requests for a short adjournment and submits that no further adjournment request shall be entertained in the matter.
3. Mr. Mithil Malhotra associate counsel who is appearing on behalf of appellant undertakes that they will not request for further adjournment in the matter and will conclude further arguments on next date of hearing.

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4. In the interest of justice, one last and final opportunity is granted to appellant to conclude their arguments in the matter.
5. 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 application seeking stay as well as appeal on 24.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 542/23

25.03.2025

Present : Sh. Ajay Brahme, Ld counsel for the appellant joined through VC.

Sh.Akhil Mittal, Ld counsel for the respondent.

MCD has filed relevant list of documents containing status report which was filed by MCD before the Hon'ble High Court of Delhi in WP (C) No.10654 / 2021 as well as relevant annexures. Copy supplied to appellant.

Ld. Counsel for appellant submits that he needs to go through aforesaid documents before addressing further arguments in the matter.

Put up for further arguments on application seeking condonation of delay on 29.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 928/24

25.03.2025

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

Ld. counsel for appellant submits that they have not received the copy of the status report filed by the MCD. Copy be supplied.

Ld. counsel seeks some time to inspect the record before addressing the arguments in the matter.

Put up for purpose fixed on 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 574/22

25.03.2025

Present : Sh. Faizal Naseem, Ld counsel for the appellant
joined through VC.

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

Part arguments heard.

Ld. Counsel for respondent / MCD seeks some time to clarify about the status of the area to clarify the cutoff date under special provision of protection granted by National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011, applicable on the property in question.

Put up for further arguments on pending interim applications and appeal on 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 659/19

25.03.2025

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

Ld. Counsel for appellant seeks some time to file
house tax record in terms of order dated 07.05.2024.

Opportunity granted.

Advance copy be supplied to MCD.

Put for the purpose already fixed on 06.08.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 72/25 & 73/25

25.03.2025

Present : Sh. Mithil Malhotra, Proxy counsel for the appellant.
Sh. Ashutosh Kumar , Ld counsel for the respondent
along with Sh. Sushil Kumar, AE(B).

An adjournment is sought on behalf of appellant as main counsel Mr. Sahil Garg is unavailable today due to bad health. Copy of medical certificate dated 22.03.2025 is also placed on record in appeal no.790/25.

Put for the purpose already fixed on 24.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 233/18, 148/18 & 166/18

25.03.2025

Present : Sh. S.K. Pathak and Sh. S.K. Tiwari, Ld counsel for the appellant.

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

Sh. Ashish Kumar Bhagat, Ld. counsel for intervener joined through VC.

Part arguments heard.

Ld. counsel for MCD submits that before addressing further arguments he needs to inspect the record and take instructions.

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

Put up for purpose fixed on 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 1066/2024 & 1067/2024

25.03.2025

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for respondent.

Ld. counsel for the appellant seeks an adjournment to file an affidavit in terms of previous order as appellants are out of station.

It is clear that appellants are not serious about proceedings and despite accommodation by this Tribunal on early hearing application, they are seeking adjournment. In such circumstances the early hearing application is disposed off and the matter be listed for hearing on the date fixed i.e. 22.05.2025 for filing of affidavit, arguments on pending interim application as well as on the point of appeal.

Put up on the date already fixed i.e. 22.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (s)

A.No. 181/24

25.03.2025

Present : Sh. Shubham Srivastava, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Ld. Counsel for appellant submits that he has instructions not to press on application under Order VI Rule 17 seeks permission to withdraw the same. Accordingly, application is dismissed as withdrawn. Matter be listed for arguments on pending interim applications and appeal on 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 364/24

25.03.2025

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

Present : Sh. P. K. Dixit, Ld counsel for the appellant.

Ld. counsel for the applicant/ appellant submits that as the matter is still listed for arguments on application seeking condonation of delay, he has instruction not to press the present application and seeks permission to withdraw the same. Accordingly, application seeking early hearing is dismissed as withdrawn.

Put up for purpose fixed on the date already fixed i.e. **01.07.2025.**

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (s)

A.No. 515/23

25.03.2025

Present : Sh. Ajay Brahme, Ld counsel for the appellant joined through VC.
Sh.Akhil Mittal, Ld counsel for the respondent.

Copy of relevant list of documents have been filed by MCD in appeal no.542/23. Copy supplied to appellant.

Ld. Counsel for appellant submits that he needs to go through aforesaid documents before addressing further arguments in the matter.

Put up for further arguments on application seeking condonation of delay on 29.07.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 372/16

25.03.2025

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

Sh. Dharamvir Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of appellant as
main counsel Mr. Bhagat Singh is unavailable today
being busy in some other matter in Rohini Court.

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 06.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 1014/24

25.03.2025

Present : Sh. Rahul Kumar, Ld counsel for the appellant with
Ms. Lalita Sinhg, Advocate.
Sh. Sanjeet Kumar, Ld. proxy counsel for Sh. Avishek
Kumar, Ld. Counsel for the respondent.

Status report is filed by the MCD seeking some more
time to clarify about status of the area where the
property in question is situated.

MCD is directed to clarify the position in that regard on
or before the next date of hearing and file status report
in the matter.

Put up for further arguments on pending interim
applications and appeal on date already fixed
i.e.08.05.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 394/24

25.03.2025

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

1. In the present case demolition order dated 05.10.2023 has been passed by the MCD in respect of property bearing No.5601, Gali No.77, Regharpura, Karol Bagh New Delhi from basement to fourth floor.
2. Perusal of demolition order shows that it was addressed to owner/builder of the said building. In the appeal para (e), the appellant had stated that she is not the owner of the whole property. On 10.03.2025, Ld. counsel for the appellant submits that appellant did not intend to implead other co-owners of the property.
3. In order to appreciate the pleas taken by the appellant in the matter, it is necessary to understand the demarcation of the property which is under her possession. No site plan is filed by the appellant on record demarcating the area which is under her possession and in possession of other occupiers of the building.
4. Appellant is directed to file a site plan clearly showing the demarcation of area and its measurement which fall under her ownership and possession on all floors of the building. Site plan

shall also clarify portions which are not in possession of appellant.

Put up for filing site plan and further arguments on the point of clarification on 08.05.2025.

Interim orders to continue till the next date of hearing.

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 06/25(M)

25.03.2025

An application under Order IX Rule 9 CPC is moved on behalf of the applicant/ appellant.

Present : None for the appellant.

No one is present on behalf of applicant/ appellant despite various calls either in person or through VC.

Now to come up for consideration on **29.04.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025

At this stage, Ms. Sapna Gupta, Ld. counsel has appeared on behalf of applicant/ appellant through VC.

Notice of the restoration application be issued to the MCD for the date fixed.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (s)

A.No. 161/25

25.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Deepak Grover, Ld. counsel for the appellant.

Ld. counsel for appellant submits that the present appeal is filed against the proportionate portion of stilt floor, ground floor and first floor only.

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.

Ld. counsel for appellant submitted that the connected appeal is listed for 11.06.2025.

Put up for arguments on interim application(s) and appeal on 11.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 340/24

25.03.2025

Present : Sh. Prawir Chandra, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record.

Part arguments on the point of appeal heard.

Alongwith status report dated 03.07.2024 MCD has filed a letter dated 27.06.2024 written by AE(B) to BSES. Reply received from BSES is not placed on record. The said reply is essential to determine as to the electricity bill filed at page 37 of the appeal by the appellant was installed on which floor in the building. Notice be issued to Business Manager, BSES to depute a representative and apprise the position in that regard.

Put up for further arguments on interim application and appeal on **06.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 103/25

25.03.2025

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

Ld. counsel for appellant submits that the present appeal is filed against the proportionate portion of stilt floor, ground floor and first floor only.

Status report is filed by the MCD, copy supplied.

Ld. counsel for appellant seeks some time to inspect the record before addressing further arguments in the matter.

Put up for arguments on interim application and appeal on **11.06.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 792/23, 794/23, 795/23, 796/23, 797/23 & 798/23

25.03.2025

Present : Sh. G.D.Mishra, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsels for both the parties seek some time to file written submission in the matter. Opportunity granted.
Put for the purpose already fixed on 02.07.2025.
Interim orders to continue till the next date of hearing in appeal nos. 792/23, 795/23 & 798/23.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 162/25

25.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. G.D. Mishra, Ld. counsel for the appellant.

1. 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.
2. Ld. Counsel for appellant submits that a bare perusal of impugned demolition order shows that MCD has admitted that the property in question/shop is old and appellant was carrying out the repair work. He submits that projections have been already demolished by the MCD. He submits that appellant is carrying out business from shop and in case coercive action is taken appellant will suffer irreparable loss and purpose of filing appeal will become infructuous. He prays that interim protection be granted at this juncture to protect the subject matter of the appeal.
3. In view of the aforesaid submissions made by Ld. Counsel for appellant, status quo be maintained in respect of the property in question till the next date of hearing.

4. 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.
5. Appellant shall however not raise any unauthorized construction in the said property without necessary permission as prescribed by law and shall not create any third party rights.

Put up for arguments on interim application(s) and appeal on 09.06.2025.

Copy of order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 121/25

25.03.2025

Present : Sh. Prashant Diwan, Ld counsel for the appellant along with appellant in person.
Sh. Sanjeet Kumar, proxy counsel for respondent in person.
Sh. Pritish Sabharwal, Ld. counsel for respondent joined through VC.

Part arguments on the point of appeal heard.

In the present case the appeal against the demolition order dated 08.09.2014 was dismissed by my Ld. Predecessor vide order dated 18.08.2015 in Appeal No. 472/2015. Thereafter, the matter was re-examined by the MCD and the MCD record shows that vide Office noting dated 18.12.2024 protection has been granted to the second floor and the request for protection in respect of third floor was declined.

Some clarifications are required from senior officers of MCD in respect of their jurisdiction to change/modify the demolition order once the same has been upheld by this Tribunal.

It is informed that Sh. Anand Kr. Agarwal, (LO-I) and Sh. Naresh Kr. Meena, (LO-II) are looking after the charge of Law Department of MCD.

Accordingly, Sh. Anand Kr. Agarwal, (LO-I) and Sh. Naresh Kr. Meena, (LO-II), Executive Engineer, AE concerned as well as the then Deputy Commissioner

are directed to appear in person before this Tribunal on the next date of hearing.

The MCD is directed to file a detail report to clarify the position in this regard.

Put up for arguments on interim application seeking stay as well as on the point of appeal on **09.04.2025**.

Interim orders to continue till the next date of hearing.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (s)

A.No. 602/14

25.03.2025

Statement of Surinder Pal Singh Bholra S/o Late Sh. Sohan Singh, respondent No.3, H.No.796, GF, Dr. Mukherji Nagar, Delhi.

On SA

I am the respondent No.3 in the present appeal. I have no objection with the application seeking withdrawal of appeal and I also want to demolish the property in question to comply the impugned order passed by the DDA.

RO&AC

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025

A.No. 602/14

25.03.2025

Statement of Sandeep Bhola S/o Late Sh. Satyapal Singh Bhola respondent on behalf legal heirs of Satyapal Singh Bhola, H.No.807, GF, Dr. Mukherji Nagar, Delhi.

On SA

I authorized by all the legal heirs of Sh. Satyapal Bhola to make the statement on their behalf in the present appeal. We have no objection with the application seeking withdrawal of appeal and we also want to demolish the property in question to comply the impugned order passed by the DDA.

RO&AC

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025

A.No. 602/14

25.03.2025

Present : Sh. Vikas Khatri, Ld counsel for the appellant joined through VC.
Sh. Anupam Sharma, Ld counsel for the respondent No.1 DDA joined through VC.
Sh. V.K. Aggarwal, Ld. counsel for respondent No.2 MCD.
Sh. Mohit Batra, counsel for applicant Ms. Sudesh Rani.
Sh. Surinder Pal Singh Bhola, respondent No.3 in person.
Sh. Sandeep Bhola, authorized representative of legal heirs of Sh.Satya Pal Singh Bhola, in person.

1. An application seeking permission to withdraw the present appeal is moved by appellant No.1 and 2, copy supplied.
2. Ld. counsel for the appellants submit that in present case the DDA has passed the demolition and sealing order dated 09.04.2013 in respect of unauthorized construction in property in question bearing No.33-C, Hudson Lane, Kingsway Camp, Delhi. He submits that appellants have arrived at settlement with respondent No.3 and 4 and intend to demolish the property in question in order to comply the orders passed by the DDA.

3. Ld. counsel for MCD and DDA submit that they have no objection in case the appellants want to withdraw the present appeal to demolish the entire structure in order to comply the impugned order passed by the DDA.
4. Respondent No.3 Mr. Surinder Pal Singh Bhola and Mr. Sandeep Bhola (on behalf of legal heirs of Sh. Satyapal Singh Bhola) submits that they have no objection to the application and they also want to demolish the property in question to comply the impugned orders passed by the DDA. Separate statements of Mr. Sandeep Bhola and Mr. Sandeep Bhola, authorized representative of legal heirs of Sh. Satya Pal Singh Bhola have been recorded in this regard.
5. Ld. counsel for the MCD points out that in present case the property was sealed by the DDA and therefore, it needs to be desealed by the DDA for the purpose of demolition. Ld. counsel for MCD submits that the area Executive Engineer (B) and AE(B) will monitor the progress of demolition once the property is desealed by DDA. Appellants as well as respondent No.3 and 4 submit that they will demolish the structure within two months subject to GRAP restrictions if any. The Executive Engineer (B) and Assistant Engineer (B) concerned of MCD are directed to monitor the progress of demolition. In case the appellant fails to carry out demolition of entire structure, the MCD is at liberty to carry

demolition action as per rules and subject to recovery of necessary charges.

6. Mr. Anupam Sharma, Ld. counsel for DDA submits that they will require at least one week time to desal the property and process the file in the department.
7. Accordingly, at request of Ld. counsel DDA and MCD, desealing of the property be scheduled on 04.04.2025 at 12.00 Noon in presence of appellants, respondent No.3, respondent No.4 and MCD officials.
8. In view of the aforesaid facts and circumstances, application is allowed and the present appeal is dismissed as withdrawn.
9. As the appeal has been withdrawn by the appellants, therefore, the application under Order 1 Rule 10 CPC moved by the intervener Ms. Sudesh Rani stands disposed off being infructuous. It is clarified that no observation have been made by this Tribunal in respect of title of the property in question.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 160/25

25.03.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Govind Rishi & Ms. Samiksha , Ld. counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through Vice Chairman, DDA.

The Assistant 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.

Ld. Counsel for appellant submits that they are apprehending demolition action in the present matter and requests to schedule the matter for tomorrow.

Nodal officer, DDA accepts the notice of the appeal.

Put up for arguments on interim application(s) and appeal on 27.03.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 13/15 & 14/15

25.03.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
along with Sh. R.K.Meena, AE(B).

Ld. Counsel for respondent / MCD seeks time to take
instructions from the department regarding
reconsideration of regularization policy.

Put up for further consideration and arguments on the
point of appeal on 07.05.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 371/24

25.03.2025

Present : Sh. Karan Kaushal, Ld counsel for the appellant joined through VC.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Arguments on application seeking condonation of delay as well as appeal heard from Ld. counsels of both the parties.

Put up for orders on 09.04.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 800/23

25.03.2025

Present : Sh. Karan Kaushal, Ld counsel for the appellant joined through VC.

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

1. Arguments on application seeking temporary desealing of second floor and third floor of the property in question heard. List of articles sought to be removed is filed by appellant.
2. Ld. Counsel for respondent / MCD submits that without prejudice their rights and contentions MCD has no objection in case property is temporarily desealed.
3. Accordingly, the temporarily desealing is allowed and second and third floor of property be temporarily desealed on 27.03.2025 at 12:00 PM for a period of 24 hours.
4. Appellant is directed to file an undertaking indemnifying for third party claim (if any) in respect of items proposed to be removed. Appellant is directed to do the needful in this regard.
5. The MCD is at liberty to reseal the property prior 24 hours in case appellant is able to remove their articles on time.

Contd....

6. It is clarified that temporarily desealing is only for limited purpose of removal of articles and appellant shall not create any third party rights and shall not carry any unauthorized construction.
7. Arguments on application seeking condonation of delay as well appeal heard at length from Ld. counsels of both parties.

Put up for orders on 09.04.2025.

Copy of order be given dasti to both the parties.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 75/24, 76/24 & 25/24

25.03.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal No.25/24 and as proxy counsel on behalf of Sh. H.R. Aggarwal, Ld. counsel for MCD in appeal Nos. 75/24 & 76/24 alongwith Sh. Rajbir Singh, AE(B).

Part arguments heard. Arguments could not be concluded today as Mr. H.R. Aggarwal, Ld. counsel for MCD in appeal Nos. 75/24, 76/24 is unavailable today due to bad health.

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

Put up for purpose fixed on 06.08.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 589/23, 590/23, 591/23 & 592/23

25.03.2025

Present : Sh. Sanjeev Nasiar & Sh. Dalip Rastogi , Ld counsel
for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

Ld. Counsel for appellant submits that no show cause notice as well as demolition order were ever served upon them. They were not granted any opportunity of hearing in the matter.

On the other hand, Ld. Counsel for respondent / MCD submits that show cause notice and demolition order were served by way of affixation. The record of affixation proceedings / photographs is not there in the MCD record.

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

Put up for further arguments on the point of appeal on 06.06.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 R

A.No. 50/19 & 263/17

25.03.2025

Present : Sh. Vikhyat Oberoi and Sh. Shivam Prakash, Ld
counsel for the appellant.
Sh.Devansh Gupta proxy counsel for the respondent
with Sh. Dharambir Singh, consultant.

It is submitted that Ld. counsel for NDMC Mr. Jasman
Singh Sethi is unavailable today being busy before the
Hon'ble High Court of Delhi.

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

Put up for purpose fixed on 19.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)

A.No. 981/24

25.03.2025

Present : Sh. Harish Kumar Gupta and Sh. Gaurav Sharma, Ld
counsel for the appellant.

Ms. Shalini, Ld counsel for the respondent No.1 MCD.

Sh. Rohit Kumar Modi and Ms. Anusueya, Ld. counsel
for respondent Nos.2 to 5.

Arguments on the point of interim application as well
as appeal heard from Ld. counsel for appellant, MCD
as well as respondent No.2 to 5 at length.

Put up for orders on **08.04.2025**.

Till next date of hearing status quo be maintained in
respect of the property in question.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
25.03.2025 (J)