

A.No. 293/25 & 294/25

09.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ilesh Shukla, Ld. counsel for the appellant.

Ld. counsel for the appellant has placed on record the site plan as per the partition deed dated 04.10.2017.

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 **09.06.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 300/25

09.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. G.D. Mishra, 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 26.05.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

A.No. 1092/24 & 1093/24

09.05.2025

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

Present : Sh. Kashish Dhawan, Ld counsel for the appellant.

It is submitted that MCD is likely to take coercive action against the property in question and in case interim application seeking stay is not heard on merits the appellant will suffer irreparable loss and appeal will become infructuous.

Notice of the application be issued to the respondent MCD for 20.05.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 830/24

09.05.2025

Present : Sh. Rahul Kumar Singh, Ld counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent joined through in VC. Vakalatnaama is filed by the appellant.

Ld. counsel for the appellant submits that he is recently engaged in the matter and exploring to file some additional documents in support of the appeal.

Ld. counsel for the appellant seeks a short adjournment to take further instructions for taking appropriate steps in the matter.

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

Put up for purposed fixed on 13.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)

A.No. 734/23

09.05.2025

Present : Sh. Ranbir Singh, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of MCD.  
Sh. Anirudh Pandit, Ld. counsel for the Intervener.

A compilation of list of judgments relied upon by the Intervener is placed on record. Copy supplied.

The VC of this Tribunal malfunctioned and Tribunal is unable to hear the matter through VC.

Ms. Renu Soni, Nodal Officer informs that Sh. Vijay Tyagi, Ld. counsel for MCD is appearing through VC and due to malfunctioning of VC, he is unable to appear before this Tribunal.

In the interest of justice, no adverse order is being passed today.

Accordingly, at joint request of the parties, the matter be re-listed for the purpose already fixed on **13.10.2025.**

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (s)

A.No. 94/23

09.05.2025

Present : Mohd. Murshid Alam , Ld counsel for the appellant.  
Sh. Ashok Kumar, Sr. Assistant from NDMC.

The VC of this Tribunal malfunctioned and Tribunal is unable to hear the matter through VC.

Ld. counsel for appellant informs that arguing counsel Ms. Sunita Bhardwaj is appearing through VC and due to malfunctioning of VC, she is unable to appear before this Tribunal.

Sh. Ashok Kumar, Sr. Assistant submits that the NDMC is in the process of engaging a new counsel in this matter.

In the interest of justice, no adverse order is being passed today.

Accordingly, put up for purpose fixed on **14.10.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (s)

A.No. 209/24

09.05.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent / MCD.  
Sh. Malaya Kumar Chand & Sh. Manav Giri, for the  
intervener.

List of documents is filed by appellant. Copy supplied.  
The VC of the Tribunal malfunctioned and Tribunal is  
unable to hear the matter through VC.

Nodal officer, MCD informs that Ld. counsel for  
respondent / MCD could not appear due to  
malfunction of VC in Tribunal.

In the interest of justice, no adverse order is being  
passed today.

Put for the purpose already fixed on 25.09.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 101/23

09.05.2025

Present : Sh. Rajendra Gupta, Ld counsel for the appellant.  
Sh. S.Adil Hussain, Ld counsel for the respondent.  
None for the intervener.

1. List of documents along with dates and events chart is filed by appellant in support of application seeking condonation of delay. Copy supplied.
2. Arguments are heard from Ld. counsels of both the parties in respect of application under Section 5 of Limitation Act seeking condonation of delay in filing the appeal.
3. In the present appeal (as amended vide order dated 11.05.2023), the appellant is impugning the demolition order dated 17.11.2021. The appeal is filed on 01.03.2023. Ld. counsel for appellant submits that demolition order was not supplied to them. He submits that only after filing of appeal they have received the demolition order and the said fact is also recorded in the order sheet dated 11.05.2023.
4. Ld.counsel for respondent / MCD submits that the demolition order was served to appellant by way of affixation and submits that appeal is time barred and liable to be dismissed.
5. Arguments heard and record perused. Appellant is disputing the service of demolition order. MCD is claiming the service through mode of affixation. The photographs of affixation are not on MCD record.

Contd....



MCD record does not clarify as to what efforts were made to effect the service through other modes.

6. Under these circumstances, the service of demolition order is not free from doubts and pleas raised by appellant needs to be considered on merits. Accordingly, at this juncture appellant is able to show sufficient cause in the application seeking condonation of delay. The application seeking condonation of delay is allowed and delay is condoned.
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.

Put up for further arguments on the point of appeal on 14.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

**01.00 PM**

At this stage, Sh. Sanjog Singh, Ld. counsel for the intervener is appeared through VC. He is informed about the orders passed today. (Application under Order 1 Rule 10 CPC was dismissed vide order dated 03.04.2024).

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 493/24

09.05.2025

Present : Sh. Kanwal Chaudhary & Sh. Ankit Kumar, Ld counsel  
for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of MCD.

Nodal Officer submits that Ld. counsel for MCD Sh. Ashutosh Gupta has gone to attend an urgent hearing before the Hon'ble High Court of Delhi and will be available in post lunch session.

Ld. counsel for appellant submits that due to some personal exigencies he is not available in post lunch session.

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

Put up for purpose fixed on **08.08.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 184/25

09.05.2025

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

Ld. Counsel for respondent / MCD submits that they need some more time to file comprehensive report and MCD record in the matter.

He submits that MCD is taking adjournment to file status report and record, he has instructions from the department that MCD will not take any demolition action against the property in question till next date of hearing.

At joint request of parties, matter be listed for arguments on interim application as well as appeal on 08.07.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 62/25

09.05.2025

Present : Sh. Kunal Kalra, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for MCD takes a preliminary objection that the list of documents dated 04.12.2025 and 14.02.2025 is not supplied to them and in the absence of the same he is not in a position to address the arguments. He takes further preliminary objection that present appeal is not maintainable as no application seeking condonation of delay is filed by the appellant. He submits that before venturing into the interim application seeking stay the appellant shall address the arguments on the point of maintainability of the appeal as no application for condonation of delay is filed by the appellant.

Ld. counsel for appellant submits that they do not intend to file any application seeking condonation of delay in the present matter.

Appellant is directed to supply the list of documents to the MCD during the course of the day.

Matter be listed for arguments on the point of maintainability of the appeal in view of the limitation period on **26.05.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 638/17

09.05.2025

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

Nodal Officer Ms. Renu Soni submits that Ld. counsel  
for the respondent is not available today due to bad  
health of his father.

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

Put up for purposed fixed on 14.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)

Misc. A.No. 07/25 (M)

09.05.2025

Present : Sh. Mayank Wadhwa, Ld counsel for the appellant  
joined through VC.

Ms. Renu Soni, Nodal Officer on behalf of MCD.

MCD seeks some time to file reply to the application  
seeking restoration of appeal and condonation of  
delay. Advance copy of the reply be supplied to the  
applicant.

Put up for reply and arguments on aforesaid  
application on **09.07.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 548/22

09.05.2025

Present : Sh. Nirmitt Gaur, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of MCD.

Nodal Officer submits that Ld. counsel for MCD Sh. Ashutosh Gupta is busy in a hearing before the Hon'ble High Court of Delhi and will be available in post lunch session.

Ld. counsel for appellant submits that due to some personal exigencies he is not available in post lunch session.

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

Put up for purpose fixed on 14.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 178/19 & 179/19

09.05.2025

Present : Sh. Shubham Aggarwal, Ld counsel for LR of appellant . Fresh Vakalatnama is filed. It be taken on record.

Sh. Gopal Singh counsel for LR of appellant Ms. Veenavirat, Ms. Babita Vasudev.

Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD.

Nodal Officer on behalf of respondent submits that arguing counsel Ms. Shivani, Ld counsel for respondent is appearing through VC but due to malfunctioning for VC, she is unable to appear before this Tribunal.

Ld. counsel for the appellant seeks some time to take instructions before addressing arguments in the matter.

Put up for purposed fixed on 14.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)



A.No. 66/24

09.05.2025

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

The VC of the Tribunal malfunctioned and Tribunal is unable to hear the matter through VC.

In the interest of justice, no adverse order is being passed today.

Put for the purpose already fixed on 17.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

**12.45 PM**

At this stage the VC restored and Sh. Rajat Sethi, Ld. counsel for the appellant is appeared through VC. He is informed about the orders passed today.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 505/23

09.05.2025

Present :           None for the appellant.  
                  Sh. Shitij Vats, Ld counsel for the respondent.

The VC of the Tribunal malfunctioned and Tribunal is  
unable to hear the matter through VC.

In the interest of justice, no adverse order is being  
passed today.

Put for the purpose already fixed on 14.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025   R

A.No. 269/19

09.05.2025

Present :           None for the appellant.  
                  Sh. V.K.Aggarwal, Ld counsel for the respondent.

The VC of the Tribunal malfunctioned and Tribunal is unable to hear the matter through VC.

In the interest of justice, no adverse order is being passed today.

Put for the purpose already fixed on 14.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025   R

A.No. 297/25 & 298/25

09.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ajjay Aroraa, Ld. Senior Counsel with Sh. Arush Kapoor & Sh. Nitish Dubey, Ld counsel for the appellant.

1. Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

2. 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.

3. Ld. counsel for appellant presses the interim application seeking stay. He submits that appellant has impugned the rejection of regularization order vide separate appeal filed before this Tribunal. He submits that the structure in question can be regularized and in case the property is not protected at this juncture the appellant will suffer irreparable loss.

4. He further submits that the demolition order passed in the present case is based on the premises of inspection done by the MCD. He submits that no inspection notice as mandated under Section 435 read with Section 431 was ever issued to the appellant and

the inspection as mentioned in the demolition order is nothing but a farce.

5. He submits that the MCD in their demolition order has given a comparative table to compare the alleged existing covered area with the covered area mentioned in the DDA's standard building plan. He submits that IN dated 04.12.2024 issued by the MCD in the regularization case clearly records that MCD is not in possession of the DDA standard building plan and they have directed the appellant to submit the same. He submits that on this very ground the MCD has rejected the regularization application for non-submission of documents. He submits that in one proceeding MCD is issuing direction to the appellant to submit the DDA standard building plan and in other proceeding MCD is passing demolition order without being in possession of the same.

6. He submits that the premises is used for residential purpose and in case any coercive action is carried out at this juncture the appellant will suffer irreparable loss and the appeal will become infructuous.

7. The issues in respect of inspection of the property and the DDA's standard building plan goes to the root of the matter and needs to be adjudicated on merits. MCD in impugned order has also observed that compoundable area can be regularized by re-opening of regularization. Accordingly, at this juncture, in view of the submissions made by the Ld. Senior counsel of

appellant, it is necessary to protect the subject matter of this appeal.

8. Accordingly, it is directed that status quo be maintained in respect of the property in question till next date of hearing. It is clarified that the observations made while passing of this order by this Tribunal shall not tantamount to the expression on the merits of this case.

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

Put up for further arguments on pending interim application as well as appeal on **04.08.2025**.

Copy of the order be given dasti and communicated to AE(B) concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 440/24 & 30/23

09.05.2025

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.  
Sh. Sandeep Kumar, Ld counsel for the respondent in  
appeal No. 30/23 along with Sh. Vipin Gosain, AE (B),  
Civil Lines Zone, Delhi.  
Ms. Renu Soni, Nodal Officer in Appeal No. 440/24.

Status report is filed by the MCD. It is informed that  
regularization application is rejected vide order dated  
22.04.2025.

Ld. counsel for the appellant informs that they have  
already filed their appeal impugning the rejection of  
regularization application which is listed for hearing  
before this Tribunal on 07.07.2025. He requests that  
the hearing in both the cases be conducted together  
as the issue involved is common.

Accordingly, put up for the purpose fixed on  
**07.07.2025.**

Interim orders to continue in Appeal No. 440/24 till the  
next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

A.No. 274/25 & 275/25

09.05.2025

Present : Sh. Ajjay Aroraa, Ld. Senior Counsel with Sh. Arush Kapoor & Sh. Nitish Dubey, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Memo of appearance filed.

Ld. counsel for MCD submits that he has not received any instruction from the department in respect of present case and seeks some time to file the status report as well as MCD record. Advance copy of the status report be supplied to the appellant.

Put up for arguments on pending interim applications and appeal on 04.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)



A.No. 101/24(M)

09.05.2025

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

Respondent / MCD seeks some time to file reply to the  
application seeking restoration of appeal. Opportunity  
granted.

Advance copy be supplied to the applicant.

Put for the purpose already fixed on 17.07.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 496/23

09.05.2025

Present : Sh. Kshitiz Mahipal, Ld counsel for the appellant.  
Sh. V. K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the MCD submits that the AE (B) concerned could not appear before this Tribunal today due to some personal exigency. The AE (B) concerned is directed to appear in person on the next date of hearing.

Put up for arguments on interim application as well as on the point of appeal on **13.10.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (s)

A.No. 299/25

09.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Manmohan Singh, 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 **27.05.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

A.No. 231/25

09.05.2025

Present : Sh. Rahul Kumar Singh, Ld counsel for the appellant  
Sh. Sanjay Sethi, Ld counsel for the respondent.  
Fresh Vakalatnama is filed by Ld. counsel for respondent. It be taken on record.

Ld. counsel for the MCD submits that they will file status report as well as MCD record in the matter.  
Opportunity granted.

Advance copy be supplied to the appellant.

Put up for purposed fixed on 04.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)

A.No. 326/23

09.05.2025

Present : Sh. Kumar Gaurav Singh, Ld counsel for the appellant  
joined through in VC.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent / MCD.

Ld. counsel for the appellant submits that he is not in a  
position to argue the matter as he is busy in  
Ghaziabad Court.

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

Put up for purposed fixed on 13.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)

A.No. 432/23 & 433/23

09.05.2025

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

Status report is filed by respondent / MCD informing  
that they are seeking some clarifications from the  
Town Planning Department for deciding the  
regularization application moved by appellant. Copy  
supplied.

Accordingly, put up for further proceedings on  
14.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 501/22 & 502/22

09.05.2025

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

Ld. counsel for the appellant submits that they intend to file additional affidavit in support of their application seeking condonation of delay. Advance copy be supplied to the MCD.

Ms. Renu Soni, Nodal Officer informs that Sh. Rajat Rajoria, Ld. counsel for MCD is appearing through VC and due to malfunctioning of VC, he is unable to appear before this Tribunal.

Accordingly, at joint request of the parties, the matter be re-listed for the purpose already fixed on **14.10.2025.**

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (s)

A.No. 52/25

09.05.2025

Present : None for the appellant.  
Sh. Anupam Sharma, Ld counsel for the respondent  
DDA joined through alongwith Sh. Sudhir Kumar,  
Kanoongo and Sh. Rakesh Process Server.

No one is present on behalf of the appellant in  
Tribunal and in VC despite various calls since  
morning.

No adverse order is being passed today in the interest  
of justice as the Video Conferencing of this Tribunal  
malfunctioned for a considerable period of time.

Put up for purpose fixed on 15.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)



A.No. 75/25

09.05.2025

Present : None for the appellant.  
Sh. Sanjay Sharma, Ld counsel for the respondent  
alongwith Sh. Sudhir Kumar, Kanoongo and Sh.  
Rakesh Process Server.

Amended memo of parties is filed by the appellant in  
the Registry, copy be supplied.

Affidavit is filed by the DDA alongwith photographs of  
affixation, copy be supplied.

No one is present on behalf of the appellant in  
Tribunal and in VC despite various calls since  
morning.

No adverse order is being passed today in the interest  
of justice as the Video Conferencing of this Tribunal  
malfunctioned for a considerable period of time.

Put up for purpose fixed on 15.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 17/25

09.05.2025

Present : None for the appellant.  
Sh. Sanjay Sharma, Ld counsel for the respondent  
alongwith Sh. Sudhir Kumar, Kanoongo and Sh.  
Rakesh Process Server.

No one is present on behalf of the appellant in  
Tribunal and in VC despite various calls since  
morning.

No adverse order is being passed today in the interest  
of justice as the Video Conferencing of this Tribunal  
malfunctioned for a considerable period of time.

Put up for purpose fixed on 15.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 79/25

09.05.2025

Present : None for the appellant.  
Sh. Sanjay Sharma, Ld counsel for the respondent  
alongwith Sh. Sudhir Kumar, Kanoongo and Sh.  
Rakesh Process Server.

Amended memo of parties is filed by the appellant in  
the Registry, copy be supplied.

No one is present on behalf of the appellant in  
Tribunal and in VC despite various calls since  
morning.

No adverse order is being passed today in the interest  
of justice as the Video Conferencing of this Tribunal  
malfunctioned for a considerable period of time.

Put up for purpose fixed on 15.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 147/25

09.05.2025

Present : Sh. Piyush Pahuja , Ld counsel for the appellant.  
Sh. Chetan Hasija, Ld counsel for the respondent.

Vide separate judgment of even date, the present appeal is allowed and the matter is remanded back to the Quasi Judicial Authority for deciding the same afresh.

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  
09.05.2025

A.No. 472/22

09.05.2025

Statement of Smt. Urmil Tomar S/o Shri P.C. Tomar,  
appellant R/o B-203, Maurya Apartments, Patparganj,  
East Delhi-110092.

On SA.

I am the appellant in the present appeal. I do not want to pursue this appeal and seeks permission to withdraw this case. I am not pressing the relief to grant me liberty to file fresh appeal in respect of the present cause of action.

RO&AC

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025

A.No. 472/22

09.05.2025

Present : Ms. Priyanka Singh, Ld counsel for the appellant  
alongwith appellant in person.  
Sh. Ravi Ranjan, Ld counsel for the respondent joined  
through VC.  
Ms. Shivali, Ld. counsel for intervener Mr. Jitendra  
Singh.

An application seeking withdrawal of appeal is moved  
by the appellant. Affidavit of appellant is also filed.

In the application as well as in the affidavit appellant is  
seeking permission to withdraw the present appeal  
with liberty to file a fresh appeal.

Ld. counsel for appellant clarifies that they are praying  
only for simpliciter withdrawal and not pressing the  
relief seeking liberty to file a fresh case in respect of  
the present cause of action.

Ld. counsel for MCD submits that they have no  
objection to the withdrawal of the present appeal.

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

In view of the statement given by the appellant, the  
appeal is dismissed as withdrawn. It is clarified that  
no liberty to file fresh case in respect of the present  
cause of action has been granted. Interim protection  
granted vide order dated 07.11.2022 stands vacated.

As the appeal has been withdrawn, the application under Order 1 Rule 10 CPC moved by applicant Mr. Jitendra Singh is disposed off as infructuous.

Copy of the order be communicated to AE(B) concerned.

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

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 473/22

09.05.2025

Statement of Smt. Urmil Tomar W/o Shri P.C. Tomar,  
appellant R/o B-203, Maurya Apartments, Patparganj,  
East Delhi-110092.

On SA.

I am the appellant in the present appeal. I do not want to pursue this appeal and seeks permission to withdraw this case. I am not pressing the relief to grant me liberty to file fresh appeal in respect of the present cause of action.

RO&AC

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025



A.No. 473/22

09.05.2025

Present : Ms. Priyanka Singh, Ld counsel for the appellant  
alongwith appellant in person.  
Sh. Ravi Ranjan, Ld counsel for the respondent joined  
through VC.  
Ms. Shivali, Ld. counsel for intervener Mr. Jitendra  
Singh.

Ld. counsel for appellant submits that appellant does  
not wish to pursue the present case and seeks  
permission to withdraw the present appeal. He  
clarifies that the appellant is not seeking any leave to  
file fresh case on the present cause of action.

Ld. counsel for MCD submits that they have no  
objection to the withdrawal of the present appeal.

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

In view of the statement given by the appellant, the  
appeal is dismissed as withdrawn. It is clarified that  
no liberty to file fresh case in respect of the present  
cause of action has been granted. Interim protection  
granted vide order dated 07.11.2022 stands vacated.

As the appeal has been withdrawn, the application  
under Order 1 Rule 10 CPC moved by applicant Mr.  
Jitendra Singh is disposed off as infructuous.

Copy of the order be communicated to AE(B)  
concerned.

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

Copy of order be given dasti.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 137/23

09.05.2025

Present : Sh. Atul Kumar Sharma, Sh. B.S. Tiwari and Sh. Jagminder Rana, Ld counsel for the appellant.  
Sh. Amit Kumar, Ld counsel for the respondent with  
Sh. Ghanshyam Meena, AE(B).

1. Ld. counsel for MCD has placed on record copy of the order dated 16.04.2025 passed by the Hon'ble High Court of Delhi in W.P.(C) 3476/2025. In the said case following directions have been issued by the Hon'ble High Court :-

“.....4. Considering the fact that an appeal has already been filed by the respondent No.3, which is pending before the ATMCD, i.e. appeal bearing *No.137/23, titled as “Krishna Devi Versus MCD”*, which is stated to be listed tomorrow, i.e. 17<sup>th</sup> April, 2025, this Court is of the view that no further orders are required to be passed in the present matter at this stage.

5. The ATMCD is expected to expedite hearing in the matter and pass an order expeditiously, preferably within a period of six months, from today.

6. Accordingly, the present writ petition, along with the pending application, stands disposed of. “

2. Hon'ble High Court of Delhi has mandated to hear this matter expeditiously and pass an order

preferably within a period of six month starting from 16.04.2025.

3. Ld. counsel for appellant submits that he need to inspect the record before addressing the arguments in the matter.
4. Ld. counsel for MCD submits that as the Tribunal has listed the matter for final adjudication on 02.06.2025, therefore, MCD will restrain from taking any coercive action in respect of the property in question till the next date of hearing.

At joint request of the parties, matter be listed for arguments on the point of appeal on **02.06.2025 at 2.15 p.m.**

It is clarified that as it is a time bound matter no request for adjournment shall be entertained.

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

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (J)

A.No. 1050/24

09.05.2025

Present : Sh. Ashish Kumar Bhagat, Ld counsel for the appellant.

Sh. Paras Aggarwal, Ld counsel for the respondent along with Sh. Rajesh Kumar Gupta, AE(B).

Status report is filed by respondent / MCD along with report copy of order dated 29.04.2025 in case no. Cont.CAS (C) 662/2025 is also filed. Copy supplied.

Ld. Counsel for respondent / MCD submits that the Hon'ble High Court of Delhi is seized of the matter in respect of property in question and next date of hearing is scheduled on 11.08.2025.

Ld. counsel for appellant submits that they will move an appropriate application before the Hon'ble High Court of Delhi seeking clarifications to pursue their legal remedy in the present appeal.

At joint request of both the parties, matter be listed for the purpose already fixed on 15.05.2025.

Copy of order be given dasti to both the parties.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 R

A.No. 171/25

09.05.2025

Present : Sh. Sandeep Sharma, Ld counsel for the appellant  
joined through in VC.  
Sh. Vashu Singh, Ld counsel for the respondent along  
with Sh. Mohit, JE(B).

Status report is filed by the MCD. Copy supplied to the  
appellant.

Ld. counsel for the appellant wants to inspect the  
record before addressing arguments.

Put up for further arguments on pending interim  
applications and appeal on 17.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.05.2025 (V)