A.No. 790/24

14.05.2025

Present: Sh. Sahil Garg, Ld counsel for the appellant joined

through VC.

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.

A.No. 72/25

14.05.2025

Present: Sh. Sahil Garg, Ld counsel for the appellant joined

through VC.

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.

A.No. 73/25

14.05.2025

Present:

Sh. Sahil Garg, Ld counsel for the appellant joined

through VC.

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.

A.No. 252/25

14.05.2025

Present:

Ms. Chanchal Sharma, Ld counsel for the appellant.

Sh. Sagar Kumar, Ld counsel for the respondent joined through VC.

Status report is filed by the MCD informing that a show cause notice under Section 345A of the DMC Act was issued by the MCD but the sealing order is yet to be passed in the present matter.

Ld. counsel for appellant submits that she has instructions to withdraw the present matter as the MCD is yet to pass a sealing order against the property in question.

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

MCD shall provide hearing to the owner/occupier of the property in question before passing the final order in respect of proceeding under Section 345-A of the DMC Act

In view of the facts and circumstances, the appeal filed by the appellant is dismissed as withdrawn.

Copy of this order be sent to the AE (B) concerned for information.

Appeal file be consigned to record room.

Copy of the order be given dasti.

A.No. 252/25

14.05.2025

Statement of Ms. Chanchal Sharma, Ld. counsel for

appellant

At Bar.

I am the counsel for appellant in the present appeal. I

have perused the status report filed by the MCD

today. As MCD is yet to pass a sealing order in the

present matter, I have instructions to withdraw the

present appeal. I seek permission to withdraw the

same.

RO&AC

(ABHILASH MALHOTRA)

Addl. District & Sessions Judge P.O.: Appellate Tribunal, MCD

14.05.2025

A.No. 327/21 & 401/21

14.05.2025

Present: Sh. Linoy Warghese, Ld counsel for the appellant.

Sh. Sanjay Sethi, Ld counsel for the respondent in

appeal No.401/21.

Sh. Jai Gupta, proxy counsel for MCD in appeal

No.327/21.

Memo of Appearance is filed by Mr. Linoy Warghese Ld counsel for the appellant. He seeks some time to file his Vakalatnaama. He also seeks some time to inspect the record before addressing arguments in the matter.

Ld counsel for the appellant submits that he will deposit the cost imposed in appeal no. 327/21 on or before the next date of hearing.

Put up for purposed fixed on 16.09.2025.

A.No. 122/23 & 123/23

14.05.2025

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

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

None for respondent no. 2.

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

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

Put up for the purpose already fixed on 31.10.2025. Interim orders granted vide order dated 16.03.2023 in appeal no.123/23 to continue till the next date of hearing.

A.No. 30/25 & 837/17

14.05.2025

Present:

Sh. Satyender Sharma, Ld counsel for the appellant.

Filed fresh Vakalatnaama in appeal no. 30/25.

Sh. Praveen Sharma, Ld counsel for the respondent in

appeal no. 837/17.

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

appeal no. 30/25.

Nodal Officer, MCD submits that Ld counsel for the

MCD in appeal no. 30/25 is not available as he has to

rush to Hon'ble High Court of Delhi for attending an

urgent hearing in a matter.

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 17.10.2025.

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

14.05.2025 (J)

A.No. 384/23 & 396/23

14.05.2025

Present: Sh. Harish Kumar, Ld counsel for the appellant.

Ms. Praveen Sharma, Ld counsel for the respondent

in appeal no. 384/23.

Ms. Renu Soni, Nodal Officer on behalf of the

respondent / MCD in appeal no. 396/23.

Part arguments heard.

Arguments could not be concluded today as Ld counsel for MCD Mr. H.R. Aggarwal in appeal no.

396/23 is unavailable today due to bad health.

In the interest of justice, one more opportunity is

granted to MCD to address arguments in the matter.

Put up for purposed fixed on 15.10.2025.

A.No. 59/25

14.05.2025

Present:

Sh. Gaurav Sharma, Ld counsel for the appellant.

Ms. Vasu Singh, Ld counsel for the respondent joined

through VC.

Status report is filed by respondent / MCD. Copy

supplied.

Ld. counsel for appellant wants to inspect the record

before addressing arguments in the matter.

In the interest of justice, one more opportunity is

granted to appellant to address arguments in the

matter.

Put for the purpose already fixed on 12.09.2025.

A.No. 178/25

14.05.2025

Present:

Sh. Pranav Rajput and Sh. Rajesh Kumar Singla, Ld counsel for the respondent.

Ms. Vasu Singh, Ld counsel for the respondent joined through VC along with Sh R.D. Chaudhary, AE(B) present in the Tribunal.

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

The record has been produced. It be deposited with Registry.

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

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

Put up for arguments on application seeking condonation of delay, interim application as well as on the point of appeal on **17.10.2025.**

A.No. 301/25

14.05.2025

Present:

Ms. Simran Singh and Sh. Mohinder Pal Singh, Ld counsel for the appellant along with Sh. Abhishek Gupta, appellant in person.

Part arguments heard.

Ld. counsel for the appellant seeks sometime to file an affidavit clarifying the measurement of the area which were sold by father of the appellant during his life time and the area which has devolved upon appellant through the Will.

The site plan be also filed giving a clear depiction of area sold and appellant interest in the property.

Put up for consideration on 06.06.2025.

A.No. 206/18 & 207/18

14.05.2025

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

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

Nodal Officer, MCD submits that Ld counsel for the MCD is not available as he has to rush to Hon'ble High Court of Delhi for attending an urgent hearing in a matter.

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 20.08.2025.

A.No. 336/24

14.05.2025

Present:

Sh. Ankush Narang, Ld counsel for the appellant.

Ms. Bhavya Chauhan, Ld counsel for the respondent.

The site plan of first floor is placed on record by appellant. The said site plan is prepared by architect Mr. Manjeet Kataria and as per the assessment given in the said site plan the total covered area of first floor is measured as 87.55 sq. mtrs., but on the other hand, in the status report dated 26.11.2024 filed by MCD, the total covered area is measured as 107.85 sq. mtrs.

MCD is directed to file status report clarifying the difference in the covered area calculation.

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

Put up for filing status report by MCD and arguments on pending interim applications as well as appeal on 12.08.2025.

Interim orders to continue till the next date of hearing.

A.No. 304/25

14.05.2025

Fresh appeal filed. Be checked and registered.

Present:

Sh. Praveen Tyagi, 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 22.05.2025.

A.No. 303/25

14.05.2025

Fresh appeal filed. Be checked and registered.

Present: Sh. Praveen Tyagi, 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 22.05.2025.

A.No. 860/24

14.05.2025

Statement of Sh. Anil Dwedi, Ld. counsel for appellant.

At Bar.

I am the counsel for appellant in the present appeal. On instructions, I seek permission to withdraw the application wherein appellant has sought stay of notice dated 03.02.2025.

RO&AC

A.No. 860/24

14.05.2025

Present: Sh. Anil Dwedi, Ld counsel for the appellant.

Sh. Madan Sagar, Ld counsel for the respondent.

- An application under Order 1 Rule 10 CPC is moved on behalf of intervener Mr. Anup Mehrotra. Copy supplied to Ld. counsel for appellant and seeks some time to file reply to the application.
- 2. An application is moved by appellant for staying the notice dated 03.02.2025 for deposition of demolition / sealing charges.
- Ld. counsel for appellant submits that appellant is not pressing the stay application and seeks permission to withdraw the same. Separate statement is recorded. Application is dismissed as withdrawn.
- 4. Affidavit of appellant is filed along with site plan prepared by Mr. Pushkar Pawar, architect.
- Ld. counsel for respondent takes a preliminary objection and submits that the site plan does specify the covered area in comparison to the standard sanction building plan and is ambiguous.
- 6. Ld. counsel for appellant submits that in order to cut short the controversy, appellant has no objection in case joint inspection of property is carried out to ascertain the covered area of property in question.

7. Ld. Counsel for respondent / MCD do not oppose the request.

8. At joint request of both the parties, joint inspection of

property be scheduled on 19.05.2025 at 12:00 PM.

9. Appellant is directed to tender necessary cooperation

to MCD officials.

10. After joint inspection, MCD shall file status report

clarifying about the covered area of third floor as well

as covered area of structure at terrace of third floor.

Photographs be also filed.

11.Ld. counsel for respondent MCD assures that in view

of the inspection ordered by this Tribunal, MCD will not

take coercive action till next date of hearing.

Put up for filing reply and arguments of application

under Order 1 Rule 10 CPC, filing of status report and

pending interim application seeking stay as well as

arguments on appeal on 11.08.2025.

Copy of order be given dasti to both the parties.

(ABHILASH MALHOTRA) Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD 14.05.2025 R

A.No. 1028/24

14.05.2025

Present:

Sh. Aditya Swroop, Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

- 1. Ld. counsel for appellant submits that they are in process of taking instructions to apply for fresh license under the new policy / rules promulgated by the Central Government i.e. Telecom (Right of Way) Rules 2024. He submits that as the appellant is intending to file fresh application seeking necessary permissions, therefore protection be granted till next date of hearing.
- 2. Ld. counsel for respondent / MCD opposes the request for interim protection. He submits that interim application and appeal be decided on merits. He submits that as the appellant is intending to move application under recently notified rules, therefore, on instructions from the department he assures that the respondent MCD will not carry out any coercive action against the property in question till next date of hearing. He also requests that a short hearing be granted in the matter so that status of application moved by appellant can be ascertained.

Contd...

Accordingly, at joint request of both the parties, put for the purpose already fixed on 10.06.2025. Copy of order be given dasti to both the parties.

A.No. 311A/23

14.05.2025

Present:

Sh. Dalip Rastogi, Ld counsel for the appellant.

Ms. Bhavya Chauhan, Ld counsel for the respondent.

Ms. Shikha Walia, Ld counsel for the respondent no.

2. Fresh Vakalatnaam is filed by Sh. Dalip Rastogi on

behalf of appellant.

Ld counsel for the appellant seeks some time to inspect the record before addressing arguments 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 31.10.2025.

A.No. 577/18

14.05.2025

Present: None for the appellant

Ms. Renu Soni, Nodal Officer on behalf of the

respondent / MCD.

None has appeared on behalf of appellant in person

as well in VC since morning despite various calls.

In the interest of justice, no adverse order is being

passed today.

Put up for purposed already fixed on 27.10.2025.

A.No. 1064/24

14.05.2025

Present: Sh. Parul Agarwal, Ld counsel for the appellant.

Sh. Avishek Kumar, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for appellant submits that the show cause notice as well as demolition order are addressed to Mr. Gorav Gupta, Nitin Jain and Ms. Mamta Sharma who are not connected with the property.

AE(B) is directed to appear in person before the Tribunal to clarify the issue.

Put up for further arguments on pending interim applications and appeal on 21.05.2025.

A.No. 179/25

14.05.2025

Present:

Sh. Manoj Kumar, Ld counsel for the appellant.

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

along with Sh. S.P Dabas, AE(B).

Status report is filed by respondent / MCD. Copy

supplied.

Reply to the application seeking stay is filed by

respondent / MCD. Copy supplied.

Reply to the application seeking condonation of delay

is also filed by respondent / MCD. Copy supplied.

Ld counsel for appellant submits that he needs to

inspect the record before addressing arguments in the

matter.

Put up for further arguments on application seeking

condonation of delay, pending interim applications and

appeal on 03.09.2025.

A.No. 249/25

14.05.2025

Present:

Ms. Chanchal Sharma, Ld counsel for the appellant.

Sh. Sagar Kumar, Ld counsel for the respondent

joined through VC.

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

appellant.

Ld counsel for the appellant seeks some time to

inspect the record before addressing arguments in the

matter.

Put up for further arguments on pending interim

applications and appeal on 08.10.2025.

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

14.05.2025

A.No. 428/24

14.05.2025

Present: Sh. Kunal Madan, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for respondent / MCD submits that the property in question is situated in unauthorized regularized colony and seeks some time to place on record relevant notification.

Put up for further arguments on pending interim applications and appeal on 23.05.2025.

Interim orders to continue till the next date of hearing.

A.No. 126/24

14.05.2025

Present:

None for the appellant.

Sh. V.K.Aggarwal, Ld counsel for the respondent along with Sh. P.K.Pandey, retired AE(B) & Sh. Sanjeev Kaushik, AE(B).

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.

Put up for purpose fixed on 27.10.2025.

A.No. 168/24

14.05.2025

Present:

Sh. Prateek Jain, Ld counsel for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the

respondent / MCD.

Nodal Officer, MCD submits that Ld. counsel for the

MCD is not available as he has to rush to Hon'ble

High Court of Delhi for attending an urgent hearing in

a matter.

In the interest of justice one more opportunity is

granted to the respondent to address the arguments in

the matter.

Put up for arguments on application seeking

condonation of delay, pending interim application and

appeal 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 14.05.2025 (J) A.No. 51/24

14.05.2025

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

Sh. Sanjay Sethi, Ld counsel for the respondent along

with Sh. Varun, AE(B).

Sh. Brijesh Tiwari, Ld. counsel for respondent no.2 &

3.

List of documents is filed by respondent along with copy of record. Copy supplied to appellant as well as Ld. counsel for respondent no.2 & 3.

Ld. counsel for appellant seeks some time to peruse the record and take instructions.

Put up for the purpose already fixed on 27.10.2025.

A.No. 36/25

14.05.2025

Present: None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Despite various calls none has appeared in the Tribunal or in the VC.

In the interest of justice, matter is adjourned subject to cost of Rs.5000/- to be deposited in the Registry of this Tribunal.

Ld. counsel for respondent / MCD submits that Hon'ble High Court of Delhi has reserved its verdict in 'Delhi Factory Association' case and requests that matter be listed after vacation.

Put for the purpose already fixed on 06.08.2025.

A.No. 559/23

14.05.2025

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

through VC

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

Part arguments heard.

Ld. counsel for MCD submits that inadvertently he has received the record of some other case from MCD and he is not having the demolition record available with him.

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

Put up for the purpose already fixed on 27.10.2025.

A.No. 570/23

14.05.2025

Present: Sh. Sandeep Thukral, Ld counsel for the appellant.

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

Nodal Officer, MCD submits that Ld counsel for the MCD is not available as he has to rush to Hon'ble High Court of Delhi for attending an urgent hearing in a matter.

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 17.10.2025.

A.No. 411/24

14.05.2025

Present: Sh. Sunil Choudhary, Ld counsel for the appellant.

Sh. Mohit Sharma, Ld counsel for the respondent.

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

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 17.10.2025.

A.No. 105/22

14.05.2025

Present: None for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the

respondent / MCD.

Nodal Officer, MCD submits that Ld. counsel for the

MCD is not available as he has to rush to Hon'ble

High Court of Delhi for attending an urgent hearing in

a matter.

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 17.10.2025.

A.No. 412/23

14.05.2025

Present:

Ms. Sana Ansari, Ld counsel for the appellant joined through VC along with Advocate present in the Tribunal. Fresh Vakalatnaama is filed by Ms. Sana Ansari on behalf of appellant through Advocate present in the Tribunal.

Sh. Sandeep Kumar, Ld counsel for the respondent.

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

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

Put up for purpose fixed on 16.10.2025.

A.No. 180/25

14.05.2025

Present: Ms. Parul Agarwal, Ld counsel for the appellant.

Sh. Madan Sagar, Ld counsel for the respondent

along with Sh. Subodh Hathwal, AE(B).

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

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

Ld counsel for the MCD informs that earlier appellant had filed an appeal no. 82/25, which had been already dismissed by this Tribunal on the ground of limitation.

Put up for further arguments on application seeking condonation of delay, pending interim applications and appeal on 17.10.2025.

Record of appeal no. 82/25 be also produced on next date of hearing.

A.No. 934/24

14.05.2025

Present: Sh. Sachin Tanwar, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments on the point of appeal heard from Ld.

Counsels of both the parties.

Ld. counsel for appellant seeks some time to take

instructions for filing additional documents on record.

Put up for further arguments on the point of appeal on

02.07.2025.

Interim orders to continue till the next date of hearing.