A.No. 305/25

15.05.2025

Fresh appeal filed. Be checked and registered.

Present: Proxy counsel for the appellant.

It is informed that arguing counsel for appellant Sh. Rakesh Kumar Shukla is unavailable today being busy in Hon'ble High Court of Delhi.

Put up for consideration on 10.06.2025.

A.No. 307/25 & 308/25

15.05.2025

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 22.05.2025.

A.No. 312/25

15.05.2025

Present: Sh. Ajay Sachdeva, Ld counsel for the appellant.

Ld. counsel for appellant seeks some time to clarify about the

respondents who have been impleaded in this case.

Put up for consideration on 21.05.2025.

A.No. 313/25

15.05.2025

Fresh appeal filed. Be checked and registered.

Present:

Sh. Satyender Kumar Sharma and Sh.Pankaj Rai, Ld. counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent DDA through concerned Chief Legal Adviser.

The Executive Engineer is directed to ensure the presence of the concerned AE, 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.

A.No. 14/25(M)

15.05.2025

File taken up today on an application under Order IX Rule 9 CPC seeking restoration of appeal.

Present: Ms. Deepmala Kumari, Ld counsel for the applicant /appellant with

appellant.

Notice of the application be issued to the respondent DDA for

27.08.2025.

A.No. 197/25

15.05.2025

Present: Sh. M.P.S. Kasana, Ld counsel for the appellant.

Sh. Ashutosh Gupta Ld counsel for the respondent.

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

Status report is filed by the MCD, copy supplied.

An application is moved on behalf of the appellant seeking permission to file additional documents, copy supplied to the MCD.

Ld. counsel for MCD seeks time to file reply of the application.

Advance copy be supplied to the appellant.

Put up for reply and arguments on the aforesaid application as well as arguments on pending interim application and appeal on **28.05.2025**.

A.No. 198/25

15.05.2025

Present:

Sh. Amit Bhardwaj & Ms. Madhu Bhardwaj, Ld counsel for the

appellant.

Sh. Pritiesh Sabbarwal, Ld counsel for the respondent. Fresh

Vakalatnama is filed by Ld. counsel for respondent. It be taken on

record. Along with Sh. Sunil Kumar, AE(B) joined through VC.

Ld. Counsel for respondent / MCD submits that he has not received

the instructions as well as record of the appeal from MCD and seeks

an adjournment.

Mr. Sunil Kumar, AE(B) concerned submits that as MCD is taking

adjournment they will restrain from taking any coercive action in

respect of property in question till next date of hearing.

Put up for filing status report and record by MCD as well as

arguments on pending interim applications and appeal on

07.08.2025.

Copy of order be given dasti.

(ABHILASH MALHOTRA)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

15.05.2025 R

A.No. 202/2025

15.05.2025

Present: Ms. Ashi Nigam, Ld counsel for the appellant.

Sh. Varun Sharma, Ld counsel for the respondent along with Sh. Abhaya Chaturvedi, AE (B) and Sh. Aditya Shankar Pandey, JE (B).

- 1. Status report is filed by the MCD. Copy supplied.
- The report filed today does not mention anything about the other Courts cases which are already pending in various Courts in respect of the property in question.
- 3. Vide order dated 23.04.2025 in appeal no. 985/2024 this Tribunal has directed that the status report filed by the MCD shall mention the details of the litigation pending before the other Judicial Forum but despite said direction the MCD officers are continuing with their incorrigible practice and the status report filed before this Tribunal do not mention anything about the litigation pending with the other forums.
- 4. The Deputy Commissioner, MCD is directed to appear in person and explain what are the steps which have been taken by his office pursuant to the directions issued by this Tribunal in appeal no. 985/2024 vide order dated 23.04.2025.

Contd	 	 /2

A copy of this order be given to the AE (B) concerned for communicating the same to the Deputy Commissioner, MCD for information and necessary compliance.

Put up for purpose fixed on 16.05.2025.

A.No. 105/23

15.05.2025

Present: Sh. G.C. Pandey, Ld counsel for the appellant.

Sh. Atul Tanwar, Ld counsel for the respondent.

Ld. counsel for appellant seeks some time to file a detailed affidavit

clarifying about title of the appellant in the property in question.

Put up for further proceedings on 22.05.2025.

A.No. 166/25

15.05.2025

Present:

Sh.Vikas Sharma & Sh. Piyush Lakhanpal, Ld counsel for the appellant.

Sh.Shashi Pratap Singh, Ld counsel for the respondent / NDMC along with Sh. Banwqari Meena, JE.

Reply to the application seeking condonation of delay is filed by respondent / NDMC. Copy supplied.

Part arguments heard.

Ld. Counsel for respondent / NDMC seeks some time to cite case laws in support of their case.

Put up for arguments on application seeking condonation of delay and pending interim applications as well as appeal on 28.05.2025.

A.No. 1050/24

15.05.2025

Present:

Sh. Jitender Bharti, Ld counsel for the appellant.

Sh. Paras Aggarwal, Ld counsel for the respondent joined through VC.

- Ld. counsel for appellant presses his appeal and submits that the matter needs to be heard urgently today as the MCD is carrying out demolition action in the property.
- 2. Affidavit is filed by Advocate Mr. Jitender Bharti. He submits that they have moved an application before the Hon'ble High Court of Delhi in contempt case Civil No.662/2025 and the said application was listed on 14.05.2025 and is disposed off. It is stated that during the course of hearing Hon'ble High Court made an oral observation that there is no restriction on this Tribunal to proceed with hearing of this case. He submits that order is not uploaded on the High Court website.
- Ld. counsel for MCD also confirms that there is no restriction imposed by the Hon'ble High Court and this Tribunal can proceed with hearing of this case.
- 4. Arguments on the point of appeal are heard at length from Ld. counsel for both the parties.
- 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.
- 6. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

Announced in the open Court today i.e. 15.05.2025.

A.No. 180/23 & 181/23

15.05.2025

Present:

Sh. Dalip Rastogi, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Pushpender Kumar, EE(B), Sh. Binod Bansal, AE(B) & Sh.

K.P. Yadav, the then JE(B).

1. Ld. counsel for respondent / MCD submits that on 13.12.2010 Mr.

Vinod Kumar Sharma was the AE(B) in Shahdara (South) Zone. He

submits that through department he was requested him to appear

before the Tribunal but the officer has not turned up.

2. Notice be issued to Mr. Vinod Kumar Sharma, the then AE(B) to

appear in person before the Tribunal through the office of worthy

Commissioner, MCD on the next date of hearing i.e.02.06.2025.

3. The incumbent officers shall remain present in person on the next

date of hearing.

Put for the purpose already fixed on 02.06.2025.

Interim orders to continue till the next date of hearing in appeal

no.180/23.

(ABHILASH MALHOTRA)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

15.05.2025 R

A.No. 693/24

15.05.2025

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

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Advocate Sh. Anuj Panwar, who is appearing through VC for Ms. Smriti Bhatia submits that the matter is listed today before the Hon'ble High Court of Delhi.

Ld. counsel for MCD submits that he need to take instructions from the department before addressing the arguments in the present matter especially in view of the appeal which is pending before the Ld. Principal District and Sessions Judge, New Delhi District.

Accordingly put up for further proceedings on 08.07.2025.

A.No. 344/24 & 388/24

15.05.2025

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

Sh. V.K.Aggarwal, Ld. counsel for the respondent in appeal no.344/24.

Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no.388/24.

None for respondent nos. 2 to 7.

Dr. Sarabjeet Sharma, Ld. counsel for the respondent nos.8 & 9 joined through VC.

Status report is filed by respondent / MCD. Kept in appeal no.388/24. Copy supplied.

List of documents is filed along with record of additional / alteration plan dated 13.07.1966. Copy supplied. Kept in appeal no.388/24.

Part arguments heard.

Ld. counsels for both the parties seeks some time to file written submissions. Be filed within two weeks from today. Advance copy be supplied to opposite parties.

Put up for arguments on the point of appeal on 15.07.2025.

A.No. 11/24

15.05.2025

Present:

Sh. M.P.Bhargava, Ld counsel for the appellant joined through VC. Sh.Ashutosh Gupta, Ld counsel for the respondent along with Sh. Kushant Kumar, AE(B).

Status report is filed by respondent / MCD.

Ld. counsel for respondent / MCD submits that despite order dated 19.12.2024, no action has been taken by appellant to repair wall on the school side.

Appellant is directed to appear in person before the Tribunal and tender his explanation why action has not been taken.

Put up for appearance of appellant as well as arguments on the point of appeal on 16.05.2025.

A.No. 427/24

15.05.2025

Present:

Sh. Jugal Wadhwa and Sh. Rishab Bhlla, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

Vide order dated 14.02.2025 the Tribunal directed the MCD to file status report highlighting measurements of the deviations in comparison to the regularization plan. Thereafter AE(B) Mr. N.K. Jha and JE(B) Mr. Ashok has filed a status report dated 22.04.2025. The said status report mentions only area as per the regularization plan on each floor but does not mentions measurement of deviations in comparison to the regularization plan.

Due to aforesaid incomplete report the Tribunal is unable to conclude the hearing today and unnecessary adjournment is happening. It is clear that despite categorical directions issued by this Tribunal, the MCD officials are filing half hearted report before the Tribunal to suppress clear picture and status of affair.

The matter is adjourned subject to cost of Rs.10,000/- upon MCD to be deposited with the Registry of this Tribunal.

The Dy. Commissioner concerned is directed to file a report under his signature mentioning measurement of the deviations in comparison to the regularization plan on each floor of the building. The report be filed within one week from today.

Notice be issued to the AE(B) and JE(B) concerned to appear in person to explain why the cost be not recovered by attaching their salaries.

Put up for further arguments on the point of appeal on **30.05.2025**. Interim orders to continue till the next date of hearing.

A.No. 924/24

15.05.2025

Present: Sh. Anil Sharma & Sh. Ankit Verma, Ld counsel for the appellant.

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

Ld. counsel for respondent / MCD seeks some time to file status

report in this matter. Advance copy be supplied to appellant.

Ld. Counsel for respondent / MCD prays for a short hearing and submitted that they will continue their undertaking for not taking coercive action in respect of second floor of property in question till

next date of hearing.

Put for the purpose already fixed on 17.07.2025.

A.No. 882/24 & 929/24

15.05.2025

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

Sh. Dharamvir Gupta, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for respondent / \mbox{MCD} seeks some time to inspect the

record before addressing further arguments in the matter.

Accordingly, put up for the purpose already fixed on 17.07.2025.

Interim orders to continue till the next date of hearing in both the

appeals.

A.No. 1075/24

15.05.2025

Present: Sh. Ankit Gupta, Ld counsel for the appellant.

Sh. Pritish Sabbarwal, Ld counsel for the respondent.

Ld. Counsel for respondent / MCD submits that appellant has challenged the sealing as well as demolition order in the present appeal and one appeal cannot be maintained for orders passed in two separate proceedings.

Ld. counsel for appellant seeks some time to take instructions.

Put up for arguments on the point of maintainability, pending interim applications and appeal on 27.10.2025.

A.No. 1058/24

15.05.2025

Present: Sh. Kartik Dabas, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

An application under Order VII Rule 14 CPC is moved by appellant. Copy supplied to MCD.

Ld. Counsel for respondent / MCD seeks some time to take instructions and file reply to the application.

Put up for filing reply and arguments on aforesaid application, pending interim applications as well as appeal on 18.08.2025.

Interim orders to continue till the next date of hearing.

A.No. 70/25

15.05.2025

Present:

Ms. Parul Agarwal, Ld counsel for the appellant.

Sh. Avishek Kumar, Ld counsel for the respondent.

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

Part arguments heard.

Ld. counsel for appellant seeks some time to file some additional documents in the matter.

It is clarified that no request of further adjournment shall be entertained in the matter.

At joint request of both the parties, matter be listed for further arguments and interim applications as well as appeal on 16.05.2025. Interim orders to continue till the next date of hearing.

A.No. 1073/24

15.05.2025

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

Sh. Pritiesh Sabbarwal, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments with connected case on the point of

appeal on 26.08.2025.

A.No. 648/24

15.05.2025

Present:

Sh. Saurav Ghosh, Ld counsel for the appellant.

Sh. Madan Sagar, Ld counsel for the respondent.

- Reply to the application under Order VI Rule 17 CPC is filed by MCD.
 Copy supplied.
- 2. Ld. counsel for appellant submits that they have filed the present appeal impugning the sealing as well as demolition order. He submits that they have filed a separate appeal bearing no.107/24 challenging the sealing order and through this amendment they are seeking permission to amend the present appeal to challenge the demolition order in this case. He submits that amendment will not change the nature of the appeal.
- 3. Ld. counsel for respondent submits that application be decided as per law.
- 4. Arguments heard and record perused. In the present appeal appellant initially challenged the demolition order and sealing order. Through the present amendment appellant is seeking restrict the scope of this appeal only to the extent of demolition proceedings. The amendment will not change the nature of appeal. The application is allowed. Amended appeal is taken on record.

Contd.....

Put up for further arguments on pending interim application as well as appeal on 26.08.2025.

Interim orders to continue till the next date of hearing.

A.No. 473/19 & 474/19

15.05.2025

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

Sh. Dharamvir Gupta, Ld counsel for the respondent along with Sh.

S.A.Neyazi, AE(B).

MCD seeks some time to file status report in terms of previous order.

Opportunity granted.

Put for the purpose already fixed on 16.10.2025.

Interim orders to continue till the next date of hearing.

A.No. 156/23

15.05.2025

Present: Sh. Bharat Deep Singh, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

In the status report the measurements have been given excluding width of wall. From the report, it is clear that the area mentioned is carpet area not covered area.

Ld. Counsel for respondent / MCD seeks some time to file fresh status report in the matter. Opportunity granted.

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 08.08.2025.

Interim orders to continue till the next date of hearing.

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

15.05.2025 R

A.No. 644/23 & 746/23

15.05.2025

Present: Sh. Arjun Malik, Ld counsel for the appellant.

Sh. R.K.Jain, Ld counsel for the respondent in appeal no.746/23.

Sh. Pritiesh Sabbarwal, Ld. counsel for the respondent in appeal

no.644/23.

Sh. Pritam Chahbra, Ld. counsel for the respondent nos. 3 & 4

joined through VC.

Sh. Rajiv Vig, Ld. counsel for the respondent nos.5 to 7.

Detailed affidavit in support of the application seeking condonation of delay is filed by the appellant. Copy supplied to opposite parties.

Put up for arguments on application seeking condonation of delay on 12.09.2025.

A.No. 71/23(M) & 73/23(M)

15.05.2025

Present: Sh. Arjun Malik, Ld counsel for the appellant.

Sh. Mohit Sharma, Ld counsel for the respondent.

Sh. Pritam Chahbra, Ld. counsel for non-applicant / appellants nos.

2 & 3 joined through VC.

Sh. Rajiv Vig. Ld. counsel for non-applicant / appellants

Reply to the application filed by the appellants for recalling of order dated 19.09.2023 passed in appeal no.457/19 & 490/19, is filed by the respondent / MCD. Copy supplied.

Put up for arguments on aforesaid application on 12.09.2025.

A.No. 70/23(M) & 72/23(M)

15.05.2025

Present: Sh. Arjun Malik, Ld counsel for the appellant.

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

None for applicant nos.2 & 3.

Part arguments heard.

Put up for further arguments along with connected appeal for the

purpose already fixed on 12.09.2025.

A.No. 93/24 (M)

15.05.2025

Present: None for the applicant.

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

No one is present on behalf of appellant in Tribunal and in VC

despite various calls since morning.

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

Put for the purpose already fixed on 27.10.2025.

A.No. 678/24

15.05.2025

Present: Ms. Meenakshi Tyagi, Proxy counsel for the appellant.

Sh. Pritiesh Sabbharwal, Ld. Counsel for the respondent.

It is informed that arguing counsel Mr. M.S. Bammi is unavailable

today due to bad health.

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 30.10.2025.

A.No. 917/18

15.05.2025

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

Sh. Dharamvir Gupta, Ld counsel for the respondent.

It is already lunch time.

Ld. counsels for both the parties submit that they are not available in post lunch session.

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

Put for the purpose already fixed on 15.10.2025.

A.No. 88/16

15.05.2025

Present: Sh. Yogesh Saxena, Ld counsel for the appellant.

Sh. Pritiesh Sabbarwal, Ld counsel for the respondent.

Ms. Sania A. Menon, Ld. counsel for intervener.

An application under Order 41 Rule 27 CPC is moved by appellant.

Copy supplied.

Put up for reply and arguments on aforesaid application as well as

arguments on appeal on 30.10.2025.

Interim orders to continue till the next date of hearing.

A.No. 200/21

15.05.2025

Present:

Sh. Kailash Rana, Proxy counsel for the appellant along with appellant in person.

Ms. Yogita Yadav, Ld counsel for the respondent joined through VC along with Sh. Raju, AE(B).

It is informed that arguing counsel for appellant Mr. Amit Rathor is unavailable today being busy in Hon'ble High Court of Delhi.

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 30.10.2025.

A.No. 238/23

15.05.2025

Present: Sh. R.K.Burman, Ld counsel for the appellant.

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

along with Sh. R.K.Meena, AE(B) / KPZ.

It is informed that Ld. counsel for MCD Mr. H.R.Aggarwal 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 for the purpose already fixed on 17.10.2025.

A.No. 38/15 & 167/15

15.05.2025

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

Sh. Dharamvir Gupta, Ld counsel for the respondent.

Sh. Kartik, Proxy counsel for the applicant.

Part arguments heard.

It is already lunch time.

Ld. counsel for appellant submits that he is not available in post lunch session.

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 14.10.2025.

Interim orders to continue till the next date of hearing.

A.No. 121/25

15.05.2025

Present:

Sh. Prashant Diwan, Ld counsel for the appellant alongwith Sh. Brajesh Dwivedi and Ms. Sonali Harish, Advocates.

Sh. Pritish Sabharwal, Ld counsel for the respondent with Sh. Sandeep Kumar, Dy. Commissioner, joined through VC and Sh. Lalit Kumar EE(B) and Sh. Rajender Meena, AE(B) present in the Tribunal.

Arguments on the point of appeal heard at length from Ld. counsels for both the parties.

Put up for orders on **29.05.2025**.

Interim orders to continue till the next date of hearing.