

A.No. 319/25

20.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Deepak Gola, 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 10.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 323/25

20.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ashutosh 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 11.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 326/25

20.05.2025

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 03.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 328/25

20.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Mandeep Singh and Sh. Abhishek Srivastava, 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 10.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 195/25

20.05.2025

Present : Sh. V.K. Mantoo, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

1. Status report is filed by the MCD, copy supplied.
2. Ld. counsel for the appellant has placed on record copy of judgment dated 17.04.2025 passed in CM(M) 687/2025 by the Hon'ble High Court of Delhi. The relevant extract of the judgment is reproduced below:

“....10. It in the abovesaid peculiar background that it has been prayed that the petitioners may be protected till the next date of hearing before learned Tribunal while also assuring that the petitioners herein would advance arguments before learned Tribunal on the next date and would not seek any adjournment.

11. In view of the above, the present petition is disposed of with direction that the learned Tribunal shall take up the abovesaid appeal on the date fixed i.e. 20.05.2025 and would endeavor to expedite the disposal of said appeal. In the interregnum, the demolition shall remain stayed.

12. The petition stands disposed of in aforesaid terms.

13. Pending applications, if any, also stand disposed of in aforesaid terms.”

3. In compliance of the directions issued by the Hon'ble High Court Arguments on the point of appeal are heard at length from Ld. counsel for both the parties.
4. Put up for orders on **22.05.2025**.
5. Ld. counsel for the appellant pointed out that the Hon'ble High Court of Delhi has granted interim protection till next date of hearing before this Tribunal i.e. today and request that the same be extended till next date of hearing. Accordingly, the interim protection in terms of the directions issued by the Hon'ble High Court to continue till next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 191/25, 192/25 & 193/25

20.05.2025

Present : Ms. Priyanka, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Status report is filed by the MCD. Copy supplied.

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

Part arguments heard.

Ld counsel for the appellant seeks some time to file
additional documents including relinquishment deed
dated 28.03.2013 as mentioned on (page-46) in appeal
no. 191/25.

Put up for arguments on interim and appeal on
28.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 286/25

20.05.2025

Present : Sh. Dinesh Sharma, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent along
with Sh. Harjit Singh, AE(B).
Ms. Kiran Sharma, Ld. counsel for applicant from LAC.

Status report is filed by the MCD, copy supplied.

An application under order 1 Rule 10 CPC is moved on
behalf of the applicant Sh. Anoop Mehrotra. Copy
supplied to appellant as well as MCD.

Ld. counsel for appellant seeks some time to file reply of
the application. Advance copy be supplied to the
applicant.

Put up for reply and arguments on application under
Order 1 Rule 10 CPC, pending interim applications as
well as appeal on **11.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 292/25

20.05.2025

Present : Sh. S.P. Saini, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld. counsel for the respondent along
with Sh. Varun, AE(B).

Status report is filed by the MCD. Copy supplied.

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

Ld. counsel for 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 09.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 1092/24 & 1093/24

20.05.2025

Present : Sh. C.M. Grover, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent with
Sh. Srinivas, AE(B).

Part arguments heard.

Ld. counsel for appellant informs that they have moved fresh regularization application which is pending with the MCD. He submits that during the pendency of the said application in case any demolition is carried out, the regularization application as well as present appeal will become infructuous.

AE(B) Mr. Srinivas confirms pendency of the said regularization application and seeks some time to file a status report in that regard. He submits that till next date of hearing MCD will not take any coercive action against the property in question.

Accordingly, application seeking early hearing is disposed off.

Put up for further arguments on interim application and appeal on 30.05.2025.

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

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 98/25 & 99/25

20.05.2025

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

Ld. counsel for MCD seeks some time to file reply to the application under Rule 14 DMC Appellate Tribunal (Procedure) Rules, 1986 as the AE(B) concerned has been transferred. Opportunity granted.

Advance copy of the reply be supplied to the appellant.

At joint request of the parties matter be listed for purpose already fixed on 03.06.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 88/25

20.05.2025

Present : Sh. Rohit Kumar Modi, Ld counsel for the appellants.
Sh. V. K. Aggarwal, Ld counsel for respondent / MCD.
Sh. Navin Yadav, Ld. counsel for respondent nos. 2 to 7.

Part arguments on the point of appeal heard.

Ld. counsel for the appellant submits that erection of lift involves shifting of services including water line. He is relying upon the photographs (at page 27 of the appeal).

Ld. counsel for the respondent nos. 2 to 7 submits that they have given an undertaking before the MCD that there is no requirement of shifting of services like sewer line, water line and gas line etc.

The MCD is directed to file detailed status report clarifying the aforesaid aspects in respect of requirement of shifting of services. The photographs be also filed.

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

Ld. counsel for the respondent nos. 2 to 7 submits that the case be heard on merits and till the next date of hearing they undertake that they will not carry out further construction work of the lift. He further submits that in order to avoid water logging they propose to temporarily cover the pit of lift.

Ld. counsel for appellant and MCD submits that they have 'No Objection' for temporarily covering the pit as a safety measure.

Put up for further arguments on the point of appeal on
06.08.2025.

Copy of this order be given dasti to the parties.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (s)

A.No. 1004/24 & 1005/24

20.05.2025

Present : Sh. Manish Tanwar, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. A. Karthikeyan, Asstt. Director (Vigilance) and Sh. Pawan Kumar, AE(B).

1. Ld. counsel for respondent / MCD submits that worthy Commissioner, MCD is seized of the matter and seeks one week to take instructions in respect of MCD record.
2. Ld. counsel for appellant strongly opposes the request. He submits that despite various opportunities, MCD is not filing their record before the Tribunal. He submits that it is due to delaying tactics of MCD, the hearing in the present matter is not happening and appellant is suffering due to sealing of his property.
3. Perusal of record shows that various opportunities have been granted to the MCD to file their record. On 12.12.2024, 06.02.2025 and 17.03.2025 the Tribunal has accommodated the MCD for filing their record. On last hearing Sh. A. Karthikeyan, Asstt. Director (Vigilance) has appeared and assured that matter is placed before the worthy Commissioner, MCD and they will file MCD record before this Tribunal. Despite that commitment given on the last date of hearing, MCD record is not filed in the Tribunal today. Due to non-filing of record by MCD, the hearing in the matter is getting delayed.

4. Under these peculiar circumstances, it is clear that MCD is not complying with direction of this Tribunal and not producing its record. Due to aforesaid contemptuous conduct and delay the hearing in this matter is stalled and the Tribunal is unable to adjudicate the matter. The worthy Commissioner, MCD is directed to look into the issue and issue directions for filing MCD record on next date, failing which the MCD shall show cause why action for non-compliance and contempt be not initiated. A representative from the MCD (HQ) shall also appear on next date of hearing.

Put up for the purpose already fixed on 23.05.2025.

Copy of order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 407/19 & 408/19

20.05.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh.V.K.Aggarwal, Ld counsel for the respondent along
with Sh. O.S.Rana, the then AE(B) now retired and Sh.
S.P.Dabas, AE(B).
Sh. Anubhav Gupta, Ld. counsel for intervener.

Part arguments heard.

Ld. Counsel for respondent / MCD seeks some time to
take instructions and file status report informing about the
area which was sanctioned vide sanctioned building plan
of DDA, unauthorized structure and its area which is
booked by MCD in the present matter.

The then AE(B) Mr. O.S.Rana and Mr. S.P.Dabas AE(B)
(incumbent) are directed to remain present in person on
the next date of hearing before the Tribunal.

Mr. O.S.Rana, the then AE(B) submits that he has retired
from service and residing in Mumbai and seeks
permission to appear through VC before the Tribunal.
Mr. O.S.Rana is at liberty to appear through VC before
the Tribunal on the next date of hearing.

Put up for further arguments on the point of appeal on
31.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 183/24 & 184/24

20.05.2025

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

An adjournment is sought on behalf of the respondent as main counsel Sh. Sandeep Kumar is un-available today due to personal 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 28.10.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 454/21

20.05.2025

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

Part arguments heard.

Ld counsel for the MCD seek some time to take further instructions before concluding his arguments in the present matter.

Put up for further arguments on the point of appeal on 31.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 464/24

20.05.2025

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

Ld counsel for the appellant submits that due some personal exigencies he could not inspected record and seeks some more time to inspect the record before addressing further 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 31.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 557/24 & 558/24

20.05.2025

Present : Sh. Farhan Ahmed , Proxy counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent.

It is informed that arguing counsel for appellant Mr. N.K.Mishra is unavailable 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 28.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 519/22

20.05.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant. Fresh Vakalatnama is filed. It be taken on record.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for 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 for the purpose already fixed on 31.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 355/23, 765/23 & 162/17

20.05.2025

Present : Sh.Krishan Kant Sharma, Proxy counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no.162/17.

Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD in appeal nos.765/63 & 355/23.

It is informed that arguing counsel for appellant Mr. R.B.Singh is unavailable today as he has under gone dialysis today.

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 03.11.2025.

Interim orders to continue till the next date of hearing in appeal no. 355/23.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 392/24

20.05.2025

Present : Sh. Anil Kumar, Ld counsel for the appellant along with
respondent Sh. Balram Choudhary.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments on the point of appeal heard.

Ld counsel for the MCD seeks some time to file status
report informing about the nature of the colony wherein
the property exists.

Put up for further arguments on the point of appeal on
28.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 153/21

20.05.2025

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

Ld counsel for the appellant submits that his file is not traceable and he will apply for certify copy of the record and is not in a position to address argument today.

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 29.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (V)

A.No. 244/15 & 964/13

20.05.2025

Present : Sh. Akshay Kumar, Proxy counsel for the appellant joined through VC.
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal no. 964/13.
Ms. Manjusha Jha, Ld counsel for respondent in appeal no. 244/15.
Sh. Narayan Shah, intervener in person.

It is submitted that arguing counsel Mr. R.K. Sahaney is un-available today due to unfortunate fire incident in the house of his Associate counsel.

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 29.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 25/21

20.05.2025

Present : Sh. Sandeep Kumar, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent. Memo
of appearance filed.

Ld. counsel for appellant submits that appellant Mr. Ratan
Singh has died.

An application under Order 22 Rule 3 CPC is moved on
behalf of appellant. Copy supplied.

Ld. Counsel for respondent / MCD submits that he is
recently engaged and seeks time to take instructions
before addressing arguments in the matter.

Put up for reply and arguments on aforesaid application
on 19.08.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 433/24

20.05.2025

Present : Sh. Pranay Lakhanpal, Ld counsel for the appellant.
Sh. V.K.Aggrwal, Ld counsel for the respondent.

Reply to the application under Section 5 of Limitation Act is filed by MCD. Copy supplied.

Ld. counsel for appellant seeks some time to study the reply 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 04.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 145/11

20.05.2025

Present : Ms. Mukta Garg and Sh. Vishal, Ld counsel for the appellant No.1.
Appellant No.2 Mr. K.K. Goyal in person.
Sh. Dharamvir Gupta, Ld counsel for the respondent MCD.

Appellant No.2 Mr. K.K. Goyal submits that his counsel Ms. Rashmi Singhla is unavailable today due to bad health.

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

Put up for purpose fixed on 03.11.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 29/24 & 161/24

20.05.2025

Present : Sh. M.S. Usmani and Ms. Kanika Chauhan, Ld counsel
for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal No.161/24.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in
appeal No.29/24.

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

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

Put up for purpose already fixed on **03.11.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 585/22

20.05.2025

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

Part arguments heard.

Appellant is relying on property tax return of fourth and fifth floor of the property in question.

Ld. counsel for respondent seeks some time to take instructions and file status report clarifying about the year in which the property tax return for fourth and fifth floor was filed for the first time by appellant.

Put up for further arguments on the point of appeal on 03.11.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 R

A.No. 110/21

20.05.2025

Present : Sh. Nishant Sharma, Ld counsel for the appellant
alongwith appellant in person.

Ms. Praveen Sharma, Ld counsel for the respondent.

Ld. counsel for appellant seeks some time to inspect the
record before addressing the 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 04.11.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 (J)

A.No. 706/14

20.05.2025

Present : Sh. Kundal Kalra, Ld counsel for the appellant.
None for the respondent/ MCD.
Ld. counsel for intervener.

On last date of hearing it was informed that Sh. H.R. Aggarwal, Ld. counsel for MCD was unavailable due to bad health. Today, no one has appeared on behalf of MCD in the present matter.

Notice be issued to the CLO, MCD with the direction to clarify the status of advocate engaged in the present matter and depute a representative to appear before the Tribunal on next date of hearing.

Put for the purpose already fixed on 29.08.2025.

Interim orders to continue till the next date of hearing.

Copy of order be sent along with notice.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
20.05.2025 V