

A.No. 324/25

21.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Jatin Sharma, Ld. counsel for the appellant joined through VC along with Sh. Santosh Sahoo, Advocate in person.

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  
21.05.2025

A.No. 325/25

21.05.2025

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 11.06.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025

A.No. 329/25

21.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Anil Kumar & Ms. Ashu Rani , 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 06.06.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025

A.No. 330/25 & 331/25

21.05.2025

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.

Ld. counsel for appellant requests for a short hearing as they are apprehending demolition action in the property in question.

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  
21.05.2025

A.No. 332/25

21.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Vijay K. Sehgal & Romika Bharti, 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 **05.06.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025

A.No. 333/25

21.05.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ankit Hooda, 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  
21.05.2025

A.No. 146/25

21.05.2025

Present : Sh. Suraj Parkash Sharma, Ld counsel for the appellant joined through VC along with appellant in person present in the Tribunal.

Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.

Part arguments heard.

Ld. counsel for appellant submits that there is a disruption in the V.C. and request to list the case tomorrow.

At request of both the parties, put up for further arguments on interim application and appeal on **22.05.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 199/25

21.05.2025

Present : Ms. Ravina, Ld counsel for the appellant.  
Ms. Jasleen Kaur, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

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

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

Put up for arguments on pending interim applications and appeal on **29.10.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)



A.No. 312/25

21.05.2025

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

An application under Order 6 Rule 17 CPC is moved by the appellant to place on record amended memo of parties.

Ld. counsel for appellant submits that there was a typographical mistake in the memo of parties which they are intending to correct by way of this application. He submits that they are not pressing this appeal against respondents No.5,6 & 7 as the NOC for installation of lift has been issued only in favour of respondents No.1 to 4.

Arguments heard. Record perused.

The said amendment does not change the nature of the appeal. Accordingly, the application under Order 6 Rule 17 CPC is allowed. Amended memo of parties is taken on record.

Issue notice of interim application(s) as well as appeal to the respondent No.1 through concerned Chief Law officer. Notice be also issued to respondents No.2 to 4.

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 **08.07.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 290/25

21.05.2025

Present : Sh. Shiv Shanker Parashar, Ld counsel for the appellant  
joined through VC.

Ld. counsel for appellant seeks some time to place on  
record GPA issued by other co-owners in favour of  
appellant.

Put up for consideration on 12.06.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 100/25

21.05.2025

Present : Appellant in person.  
Sh. Ajay Gaur, Ld counsel for the respondent alongwith  
Sh. Rohit Goyal, AE(B).

Registrar, ATMCD seeks some time to file report in terms of the previous order.

Written submissions is filed by the appellant, copy supplied to the MCD.

Arguments are heard at length from the appellant.

Ld. counsel for MCD submits that they have received the copy of the written submissions today in the Tribunal only. He submits that he needs to peruse the same and take instructions before concluding his arguments. However to cut short the controversy AE(B) submits that MCD will not take any coercive action in the property in question till next date of hearing.

Accordingly, put up for further arguments on the point of pending interim application and appeal on date already fixed i.e. 07.07.2025. Application seeking early hearing stands disposed of.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 284/25

21.05.2025

Present : Ms. Sana Ansari and Mr. I. Ahmed, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Ld. counsel for MCD seeks some time to file status report and submits that they will file the same within one week from today. Advance copy be supplied to the appellant.

It is informed that another appeal pertaining to the demolition proceedings of the property in question also listed before this Tribunal for 04.07.2025.

Put up for purpose fixed on **04.07.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 1064/24

21.05.2025

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.

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

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

Record of the respondent (if any), 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  
21.05.2025 R

A.No. 202/25

21.05.2025

Present : Ms. Arshi Nigam, Ld counsel for the appellant joined through VC.

Sh. Varun Sharma with Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Abhaya Chaurvedi, AE(B-II) WZ and Sh. Krishan Keshav, JLO present in the Tribunal.

Ld counsel for the MCD to seeks some time to file status report in terms of previous order.

Ld counsel for the MCD submits that as they are seeking an adjournment to file status report, they will not carry out any coercive action against the property in question till next date of hearing.

Put up for already fixed on 19.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (V)

A.No. 337/23

21.05.2025

Present : Sh. Dinesh Kumar, Sh. Deepesh Kasana and Sh. Garvit Singh, Ld. counsel for appellant..  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Ms. Sana Ansari and Sh. I. Ahmad, Ld. counsels for intervener.

Part arguments heard.

Ld counsel for the MCD submits that before concluding the arguments in this case they want to take further instructions from the Dy. Commissioner concerned.

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

Put up for purpose fixed on 19.08.2025 at 02.30 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 138/25 & 139/25

21.05.2025

Present : None for the appellant.

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

1. An application is moved on behalf of the Deputy Commissioner, MCD, Karol Bagh Zone, Delhi seeking exemption from personal appearance.
2. Heard. For the reasons stated in the application, the same is allowed for today.
3. The Deputy Commissioner, MCD, Karol Bagh Zone, Delhi is directed to appear in person on the next date of hearing.
4. Ld. counsel for MCD has placed on record copy of order dated 05.05.2025 passed by the Hon'ble High Court of Delhi in W. P. (C) 5693/2025, the relevant extract of the order is reproduced here-in-below:-

13. Having heard learned counsels for the parties, it is directed as follows:-

13.1 The petitioner shall be allowed to operate its banking operations from the premises in question, for a period of four months from today.

13.2 Upon expiry of the four months period, the petitioner-bank shall close the said branch and shift its services to some other premises, in accordance with the Guidelines of the Reserve Bank of India ("RBI").

13.3 Upon vacation of the premises by the petitioner-bank, the respondent/ MCD, shall be at liberty to seal the premises again, subject to any orders, that may be passed by the learned ATMCD.

14. With the aforesaid directions, the present writ petition, along with pending applications, stands disposed of.



5. Ld. counsel for MCD submits that Hon'ble High Court of Delhi has granted four months time to the bank which is operating from the property in question to re-locate.
6. Despite repeated calls, none has appeared on behalf of the appellant either in person or through VC.
7. The matter is adjourned subject to cost of Rs.10,000/- imposed upon the appellant which is to be deposited in the Registry of this Tribunal.

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

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (s)

A.No. 90/25

21.05.2025

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

1. An application is moved on behalf of the Deputy Commissioner, MCD, Karol Bagh Zone, Delhi seeking exemption from personal appearance.
2. Heard. For the reasons stated in the application, the same is allowed for today.
3. The Deputy Commissioner, MCD, Karol Bagh Zone, Delhi is directed to appear in person on the next date of hearing.
4. Ld. counsel for MCD has placed on record copy of order dated 05.05.2025 passed by the Hon'ble High Court of Delhi in W. P. (C) 5693/2025, the relevant extract of the order is reproduced here-in-below:-

13. Having heard learned counsels for the parties, it is directed as follows:-

13.1 The petitioner shall be allowed to operate its banking operations from the premises in question, for a period of four months from today.

13.2 Upon expiry of the four months period, the petitioner-bank shall close the said branch and shift its services to some other premises, in accordance with the Guidelines of the Reserve Bank of India ("RBI").

13.3 Upon vacation of the premises by the petitioner-bank, the respondent/ MCD, shall be at liberty to seal the premises again, subject to any orders, that may be passed by the learned ATMCD.

14. With the aforesaid directions, the present writ petition, along with pending applications, stands disposed of.

5. Ld. counsel for MCD submits that Hon'ble High Court of Delhi has granted four months time to the bank which is operating from the property in question to re-locate.
6. Despite repeated calls, none has appeared on behalf of the appellant either in person or through VC.
7. The matter is adjourned subject to cost of Rs.10,000/- imposed upon the appellant which is to be deposited in the Registry of this Tribunal.

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

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (s)

A.No. 744/24

21.05.2025

Present : Sh. Ashwani Sharma and Sh. Ashish Pannv, Ld counsel  
for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

MCD record at Page 8/C shows that the demolition order  
was served by way of speed post. The postal receipt as  
well as tracking report is not on file.

Ld. counsel for MCD seeks some time to take instruction  
and file status report in that regard.

Put up for further arguments on applicant seeking  
condonation of delay on **4.11.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 745/24

21.05.2025

Present : Sh. Ashwani Sharma and Sh. Ashish Pannv, Ld counsel  
for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Page 2/C of the sealing record shows that date of sealing order is 28.10.2016 whereas on the top of sealing order the date of sealing is mentioned as 16.08.2024.

Ld. counsel for MCD seeks some time to take instruction regarding the date of service of sealing order in this case and the time/date from which the limitation needs to be reckoned.

Put up for further arguments on applicant seeking condonation of delay on **4.11.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 34/25

21.05.2025

Present : Ms. Anusueya , Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.  
Sh. R.K.Ruhil, Ld. counsel for the respondent no.2 to 5  
along with Sh. Anil Kumar, Ms. Jyoti Shukla and Sh.  
Hammad Ali, Associates.

Reply to the appeal is filed by respondent nos. 2 to 5.

Copy supplied to appellant as well as MCD.

Ld. counsel for appellant seeks some time to peruse the  
reply before concluding arguments in the present matter.

Put up for arguments on the point of appeal on  
08.09.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 791/24, 753/24 & 814/24

21.05.2025

Present : Sh. S.P.Sharma, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent in  
appeal no.814/24.  
Sh. Mehak Arora, Ld counsel for the respondent in  
appeal no.791/24.  
Sh. Mohit Sharma, Ld counsel for the respondent in  
appeal no.753/24.

Part arguments on the application seeking condonation of  
delay heard from Ld. counsels of both the parties.

Ld. counsel for appellant submits that he wants to rely  
upon some additional documents in support of his  
arguments and seeks a short adjournment to take further  
instructions in that regard.

Put up for further arguments on application seeking  
condonation of delay and pending interim applications as  
well as appeal on 12.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 76/25

21.05.2025

Present : Appellant in person alongwith her son Mr. Umar.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Sh. Manish Yadav, Nodal officer DDA.

Status report is filed by the MCD, copy supplied.

Ld. counsel for the MCD points out that vide order dated 07.05.2025 in CONMT.PET (C) No.335/2021 in W.P.(C) No.4677/1985, the Hon'ble Supreme Court of India had issued the directions for demolition of the unauthorized structure and there is no status quo operating in respect of the property in question.

Nodal Officer, DDA submits that he has no instructions as to why the counsel is not appearing today in this matter.

The Chief Legal Adviser, DDA is directed to ensure that a counselor a representative from DDA shall appear and attend the hearing on the next date of hearing.

The appellant has appeared along with his son Mr. Umar. Appellant seeks an adjournment to engage a new counsel in the matter.

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



Put up for arguments on interim application as well as appeal on 01.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

At this stage, Ld. counsel for DDA Mr. K.D. Sharma, appeared. He is informed about the order passed today.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 1222/15

21.05.2025

Present : Sh. Sunil Dutt, Ld counsel for the appellant.  
Sh. Sanjay Sethi, Ld counsel for the respondent.

Part arguments heard.

Some clarifications are required from the AE concerned in respect of the regularization application moved by the appellant.

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

Put up for further arguments on the point of appeal on **04.09.2025.**

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (s)

A.No. 824/24

21.05.2025

Present : Sh. Rohit Tyagi proxy counsel for the appellant.  
Ms. Mehak Arora, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Anuroop P.S. is un-available 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  
21.05.2025 (J)

A.No. 99/24(M)

21.05.2025

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

Despite various calls none is appearing on behalf of the  
applicant in the Tribunal or through VC.

Put up at 2.00 p.m.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025

**2.30 P.M.**

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

None has appeared on behalf of applicant since morning  
in the Tribunal or through VC despite various calls.

It is 2.30 PM. The present application seeking  
restoration of appeal is dismissed for non-appearance.

Appeal file be consigned to record room.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 153/23

21.05.2025

Present : Appellant in person.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Appellant submits that his counsel Mr. Yash Aggarwal is empanelled by MCD and he is in the process of engaging a new counsel in this matter.

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

Put up for purpose fixed on **09.10.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (s)

A.No. 396/24 & 397/24

21.05.2025

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

Ld. counsel for appellant submits that they have applied for certified copy of record and will address arguments on next date of hearing.

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.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 681/23 & 682/23

21.05.2025

Present : Sh. Jaipal Singh Husband of appellant.  
Sh. Avishek Kumar, Ld counsel for the respondent.

It is informed that arguing counsel for appellant Mr. Vimal Dhingra is unavailable today due to some personal exigency.

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.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 978/24

21.05.2025

Present : Sh. Vinod Kumar Mantoo, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent No.1.  
Mohd. Zaid, Ld. counsel for respondents No.2 & 3.

Reply to the appeal is filed on behalf respondent No.2 & 3. Copy supplied to appellant and MCD.

Objections to the status report dated 25.01.2025 is filed by the appellant, copy supplied to MCD and respondents No.2 & 3.

Put up for purpose already fixed on 04.11.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)



A.No. 944/24

21.05.2025

Present : Sh. Jitender Tyagi, Ld counsel for the appellant joined through VC.

Ms. Mehak Arora, Ld counsel for the respondent.

1. Arguments heard at length from Ld. counsel for both the parties.
2. The present appeal has been filed impugning the vacation notice dated 23.07.2024 passed in respect of property No.50-A, Madanpur Khadar, New Delhi.
3. Ld. counsel for MCD has taken a preliminary objection that the appeal is not maintainable. She submits that Section 343 (2) as well as Section 347-B DMC Act does not provide any mechanism to impugn the vacation notice in the appeal. She submits that the demolition order was passed on 18.04.2019 and the sealing order was passed on 08.11.2019. She submits that the appeal against the said orders is highly time barred and in order to bypass the limitation period the appellant has filed the present appeal challenging the vacation notice.
4. On the other hand, Ld. counsel for appellant submits that the impugned order was passed without providing any hearing to the appellant. He submits that structure is old and protected under National Capital Territory of Delhi Laws (Special Provision) Second

Amendment Act, 2011. He submits that they came to know about the proceedings when they received vacation notice and thereafter filed the present appeal.

5. Arguments heard. Record perused. Section 343 (2) DMC Act provides the provision for filing appeal against the demolition order. Section 347-B (m) DMC Act provides mechanism for filing the appeal against the sealing order. Limitation period is also prescribed by the Legislation.
6. In the present case the demolition order is dated 18.04.2019 and the sealing order is dated 08.11.2019. The limitation period needs to be reckoned from the date of demolition and sealing order. It is clear that the appeal against the said orders are highly time barred.
7. I found merits in the submissions made by Ms. Mehak Arora, Ld. counsel for MCD that there is no provision to challenge the vacation order passed under Section 349 of the DMC Act in appeal before this Tribunal. A vacation notice is issued in furtherance of the demolition order when owner/occupier fails to comply the demolition order by demolishing unauthorized structure and MCD has to take necessary action by getting the property vacated.
8. In view of the above facts and circumstances, the present appeal filed against the vacation notice is not maintainable and the same is dismissed.

9. However the appellant is at liberty to seek remedy against the demolition order as per law subject to law of limitation and other extant rules.
10. 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. **21.05.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 27/17, 342/17 & 748/24  
21.05.2025

Present : Sh. Sunil Kumar, Proxy counsel for the appellant in appeal nos.748/24 & 342/17.

Sh.Mohd. Ajmal, Proxy counsel for the appellant in appeal no.27/17.

Sh. R.K.Kashyap, Ld counsel for the respondent along with Sh. Ravi Aggarwal, JSA, House Tax Department in appeal no.342/24 & 27/17.

Sh. V.K.Aggarwal, Ld. counsel for the respondent in appeal no.748/24.

Status report is filed by respondent / MCD. Copy supplied. Status report kept in appeal no.748/24.

It is informed that arguing counsel for appellant Mr. Vinay Kumar Arora is unavailable today due to bad health.

Record shows that appellant seeking continuous adjournments in this matter.

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

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

Put for the purpose already fixed on 04.11.2025.

Interim orders to continue till the next date of hearing in appeal nos.27/17 & 342/17.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 234/22

21.05.2025

Present : Sh. Ranbir Singh, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for appellant submits that no show cause notice was issued by MCD and no hearing was provided by MCD.

The then AE(B) is directed to appear in person and tender clarifications before the Tribunal on the next date of hearing.

Put up for further arguments on the point of appeal on 04.11.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R

A.No. 246/19

21.05.2025

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

Memo of appearance is filed by Mr. V.K. Aggarwal on behalf of MCD. He submits that due to bad health Mr. H.R. Aggarwal is not able to appear in this case. He submits that he has been engaged to represent the MCD in the matter and will file his vakalatnama on the next date of hearing.

Put up for purpose already fixed on **04.11.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 298/19

21.05.2025

Present : Sh. Dharampal appellant No.1 in person.  
Sh. R.K. Kashyap, Ld counsel for the respondent.  
Sh. Naresh Kumar Beniwal, Ld. counsel for applicant.

An adjournment is sought on behalf of the appellant as main counsel S.P. Jha is un-available today being busy in the matter before Hon'ble High Court of Delhi.

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

Put up for purpose already fixed on **04.11.2025**.

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

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 627/22

21.05.2025

Present : Sh.Syed Hasan Isfahani , Ld counsel for the appellant  
joined through VC.

Sh.S.Adhil Hussain , Ld counsel for the respondent.

Sh. Rishi Manchanda & Sh. Siddharth, Ld. counsel for  
intervener Sh. Sanjeev Wadhwa.

Ld. counsel for appellant submits that they have already  
moved a fresh regularization application in the year 2022  
in the present matter.

Ld. counsel for MCD submits that he has no instructions  
in that regard.

Appellant is directed to appear in person and place on  
record copy of regularization application moved by him  
before the Tribunal on next date of hearing.

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 22.05.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 R



A.No. 162/24

21.05.2025

Present : Sh. Jitender Sharma, Ld counsel for the appellant joined through VC.  
Sh. Pranjal Sharma, Ld counsel for the respondent MCD.  
Sh. Sanjay Rathi, Ld. counsel for respondent No.2 joined through VC.

Ld. counsel for respondent No.2 submits that he has applied for certified copies and seeks some time to file reply in this case. Advance copy be supplied to the other parties.

Put up for purpose already fixed on **10.11.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 357/23

21.05.2025

Present : Ms. Sana Ansari and Sh. I.Ahmad, Ld counsel for the appellant.

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

Sh. Madan Lal Sharma, Sh. Rakesh Lakra and Ms. Shivani, Ld. counsels for respondents No.2 & 6.

Part arguments heard.

Ld counsel for the MCD submits that before concluding the arguments in this case they want to take further instructions from the Dy. Commissioner concerned.

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

Put up for purpose fixed on 19.08.2025 at 02.30 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 123/22

21.05.2025

Present : Ms. Sumita Hazarika, Ld counsel for the appellant.  
Sh. Pritish Sabharwal, Ld counsel for the respondent  
joined through VC.  
Sh. Madan Lal Sharma, Sh. Rakesh Lakra and Ms.  
Shivani, Ld. counsels for respondents No.2 & 3.  
Sh. Dinesh Kumar, Sh. Deepesh Kasana and Sh. Garvit  
Singh, Ld. counsel for respondents No.4 to 6.

Part arguments heard.

Ld counsel for the MCD submits that before concluding  
the arguments in this case they want to take further  
instructions from the Dy. Commissioner concerned.

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

Put up for purpose fixed on 19.08.2025 at 02.30 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2025 (J)

A.No. 413/24

21.05.2025

Present : Sh. Shiv Kumar Chopra , Ld counsel for the appellant.  
Sh. Pritish Sabharwal, Ld. counsel for respondent joined  
through VC.

Vide separate judgment of even date, the present appeal  
is allowed and the matter is remanded back to the Quasi  
Judicial Authority of MCD 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  
21.05.2025 (s)