A.No. 356/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Manmohan. Singh, Ld. counsel for the appellant along with Sh. Rajiv Bhola, Advocate.

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 15.07.2025.

A.No. 362/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. C.M. Sharma, Ld. counsel for the appellant.

Advocate Mr. Vikram Singh has appeared on behalf of the intervener. He submits that his client Mr. Amit Saxena has undivided interest in the property in question and they have already filed an appeal bearing No.348/25 before this Tribunal in respect of the demolition order dated 15.04.2025 which is listed on 10.07.2025. Put up for consideration alongwith other case on 10.07.2025.

A.No. 364/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Amrit Pal Singh, Ld. counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer. The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on 17.07.2025.

A.No. 365/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Abhishek Kumar Pandey, Ld. counsel for the appellant joined through VC.

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 informs that their another appeal is already listed on 04.09.2025 before this Tribunal. Put up for arguments on interim application(s) and appeal

on **04.08.2025**.

A.No. 366/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Neha Kapur, Ld. counsel for the appellant with appellant No.2.

Ld. counsel for appellant submits that she wants to file some additional documents in support of appeal. Put up for consideration on **06.06.2025**.

A.No. 367/25

02.06.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Tarun Kumar Makhija, 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 09.06.2025.

A.No. 1072/24

02.06.2025

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

Present : Sh. Tribhuvan Kumar and Sh. Vishal, Ld counsel for the appellant.

Ld. counsel for appellant submits that inadvertently on last date of hearing they could not appear and the hearing was fixed for October 2025. He submits that they apprehend demolition action in the property and request to list the matter after summer vacation.

In view of the above facts and circumstances, notice of the application be issued to the respondent MCD for 21.07.2025.

A.No. 1066/24 & 1067/24

02.06.2025

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

Present : Sh. Vinod Kumar Khanna and Sh. Gaurav, Ld counsel for the appellant.

It is submitted that MCD is likely to take coercive action against the property in question and in case interim application seeking stay is not heard on merits the appellant will suffer irreparable loss and appeal will become infructuous. He submits that demolition action is fixed for 04.06.2025.

Notice of the application be issued to the respondent MCD for 03.06.2025.

A.No. 200/25 & 201/25

02.06.2025

Present : Sh. Ajay Arora Sr. counsel along with Sh. Arush Kapoor for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Ld. counsel for MCD seeks some time to file status report in the matter. He submits that the demolition appeal in respect of property in question is listed for tomorrow and it will be prudent in case all cases be heard together. He assures that as MCD is taking adjournment today they will not take any coercive action till next date of hearing. Accordingly, matter be listed for filing status report by MCD as well as arguments on pending interim applications and appeal on 03.06.2025.

A.No. 203/25

02.06.2025

Present : Appellant in person.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

An adjournment is sought on behalf of the appellant as main counsel Sh. Avinash Kumar un-available today due to bad health.

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

Put up for purpose fixed on 19.11.2025.

A.No. 285/25

02.06.2025

Present : Sh. Faisal Naseem, Ld counsel for the appellant. Ms. Vasu Singh, Ld counsel for the respondent joined through VC alongwith Sh. Arun Rawat, AE(B).

> 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 seeks some time to inspect the record before addressing arguments in the matter.

Put up for arguments on pending interim application and appeal on 22.08.2025.

A.No. 283/25

02.06.2025

Present : None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

None has appeared on behalf of appellant in Tribunal as well as in VC since morning despite various calls.

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

Ld counsel for MCD submits that they will file status report during the course of day.

Put up for purpose fixed on 19.11.2025.

A.No. 289/25

02.06.2025

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

> Status report is filed by MCD. Copy supplied. Part argument heard.

Arguments could not be concluding today as I have to leave for attending a meeting called by Ld CPC, Hon'ble High Court of Delhi at 03.00 PM.

Accordingly, put up further arguments on the point of appeal on 14.07.2025.

A.No. 279/25 & 306/25

02.06.2025

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

> Ld counsel for MCD submits that they will file status report and record during the course of day. Ld counsel for appellant seeks to sometime placed on record of property tax return of the property in question. Put up for further arguments on pending interim

applications and appeal on 16.09.2025.

A.No. 256/25

02.06.2025

Present : Ms. Manju Pandey, proxy counsel for the appellant. Sh. Ajay Gaur, Ld counsel for the respondent alongwith Mr. Varun, AE(B).

> 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 seeks some time to inspect the record before addressing arguments in the matter.

Put up for arguments on pending interim application and appeal on **29.07.2025**.

Interim orders to continue till the next date of hearing. It is clarified that no further adjournment request shall be entertained in the matter.

A.No. 155/25

02.06.2025

Present : Sh. Naveen Kohar, Ld counsel for the appellant joined through VC.Sh. Pritish Sabharwal, Ld counsel for the respondent alongwith Sh. Sunil Chauhan, AE(B).

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 seeks some time to inspect the record before addressing arguments in the matter.

Put up for arguments on pending interim application and appeal on 22.08.2025.

A.No. 156/25

02.06.2025

Present : Sh. Naveen Kohar, Ld counsel for the appellant joined through VC.

Sh. Pritish Sabharwal, Ld counsel for the respondent alongwith Sh. Sunil Chauhan, AE(B).

Status report is filed by the MCD, copy supplied.

Ld. counsel for MCD takes a preliminary objection that the present appeal is not maintainable as the appellant has challenged the show cause notice dated 11.03.2025 and not sealing order. Ld. counsel for appellant conceded the position.

Appeal against the show cause notice is not maintainable under Section 347-B of the DMC Act. Accordingly the appeal is dismissed. However, the appellant is at liberty to file fresh appeal impugning the sealing order subject to law of limitation as well as other extant rules.

It is clarified that the observation made while passing of this order by this court shall not tantamount to the expression on the merits of this case.

File be consigned to record room.

A.No.817/23

02.06.2025

Present : Sh. Mahesh Chand, Ld counsel for the appellant. Ms. Bhavya Chauhan along with Sh. Sanjeev Kumar Kaushik, AE(B) and Sh. Ankit Kumar, JE(B) present in person.

Status report is filed by MCD. Copy placed in appeal 329/24.

Arguments could not be concluded today as I have to leave for attending a meeting called by Ld CPC, Hon'ble High Court of Delhi at 03.00 PM.

Ld counsel for MCD they will continue with their understating and will not take any coercive action in the property in question.

Put up for further arguments on pending interim applications and appeal on 11.08.2025.

A.No. 329/24 02.06.2025 Present :

Sh. Mahesh Chand, Ld counsel for the appellant.Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC along with Sh. Sanjeev Kumar Kaushik, AE(B) and Sh. Ankit Kumar, JE(B) present in person.

Status report is filed by MCD. Copy placed in appeal 329/24.

An application for exception for personal appearance is filed by the Commissioner, Central GST & Central Excise. In view of the exigencies cited, the application seeking exemption is allowed for today.

Arguments could not be concluded today as I have to leave for attending a meeting called by Ld CPC, Hon'ble High Court of Delhi at 03.00 PM.

Ld counsel for MCD submits that they will continue with their understating and will not take any coercive action in the property in question till the next date of hearing.

Put up for further arguments on pending interim applications and appeal on 11.08.2025.

A.No. 571/22 & 572/22

02.06.2025

Present : Sh. Rohit Goel and Sh. Prabhan Tripathi, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Arguments could not be concluding today as I have to leave for attending a meeting called by Ld CPC, Hon'ble High Court of Delhi at 03.00 PM.

Accordingly, at joint request of the parties matter be listed for further arguments on the point of appeal on 09.06.2025.

A.No. 180/23 & 181/23

02.06.2025

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

Part argument heard.

Arguments could not be concluding today as I have to leave for attending a meeting called by Ld CPC, Hon'ble High Court of Delhi at 03.00 PM.

Accordingly, put up further arguments on the point of appeal on 11.06.2025.

A.No. 1027/24

02.06.2025

Present : Sh.Piyush Pahuja, Ld counsel for the appellant along with Sh. Upender Kumar & Ms. Nancy, Associates.
Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD along with Sh. L.R.Meena, AE(B).

> It is informed that Ld. counsel for respondent / MCD Mr. Nandan Goel, AE(B) is unavailable due to family exigency.

> Sh. L.R.Meena, AE(B) submits that their counsel is unavailable today and MCD is seeking adjournment in the present matter, they will continue their undertaking for not taking any coercive action in respect of property in question till next date of hearing.

Put for the purpose already fixed on 27.08.2025.

A.No. 106/25

02.06.2025

Present : Sh. Rahul Madan , Ld counsel for the appellant jointed through VC.

Ms. Jasleen Kaur , Ld counsel for the respondent.

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

Ld. counsel for appellant seeks some time to study status report before addressing arguments in the matter.

Ld. counsel for MCD submits that as appellant is seeking adjournment and not addressing arguments, she has instructions from the department not to continue to the undertaking given on 17.02.2025. The clarification is taken on record.

Put for the purpose already fixed on 04.09.2025.

A.No. 28/25

02.06.2025

Present : Sh. R.S. Rawat, Ld counsel for the appellant. Sh. Ashutosh Gupta, Ld counsel for the respondent. Sh. Deepak Z. Mehta, Ld counsel for applicant.

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

An application under Order 1 Rule 10 CPC is filed by the applicant Sh. Prem Singh Rawat and Ms. Yashoda. Copy supplied to the appellant as well as MCD.

Reply is filed on behalf of appellant under Section 343/347B of the DMC Act, 1957.

Put up for purposed already fixed on 19.11.2025.

A.No. 06/SCM/13

02.06.2025

Present : Sh. Dalip Rashogi Ld counsel for the appellant. Sh. V.K. Aggarwal, Ld counsel for the respondent. Sh. Praduman Kumar, Ld counsel for the DDA.

Part arguments heard.

Put up for further arguments on pending interim applications and appeal on 08.07.2025 at 2:30 PM.

A.No. 813/23

02.06.2025

Present : Sh. Joby P. Varghese, Ld counsel for the appellant.
Sh. Sagar Dhama, Ld counsel for the respondent.
Sh. Sandeep Sharma, Ld. counsel for respondent No.3.2.
Ms. Richa Sharma, Ld. counsel for respondent No.3.3 to 3.7.
Sh. Surender Chauhan and Ms. Huma Saifi, Ld. counsel for respondent No.8 & 9.

Sh. Deepak Z Mehta, Ld. counsel for intervener.

- Arguments on application under Order 1 Rule 10 CPC heard from Ld. counsel for all the parties.
- 2. Ld. counsel for applicant/intervener submits that the cubical of flats where the lift proposed to be installed comprises of 8 flats. He submits that out of said 8 flats one of the flat is owned by the applicant /intervener and he is residing in flat No.1 on the ground floor. He submits that as per the MCD office order dated 15.02.2016 though the consent of 50% of the owners is required for installation of the lift but that consent figure is arrived after taking into consideration all the flat owners who are residing in cubical.
- Ld. counsel for MCD does not opposes the application and submits that the applicant/intervener is one of the owner who is residing in cubical where the lift is

proposed to be installed. Ld. counsel for appellant opposes the application and submits that applicant /intervener is not a necessary party in the matter.

- 4. Arguments heard. Record perused. It is clear that the appellant has taken different stands in respect of requirement of the parties in this case. The appellant has impleaded the other residents who are owners in cubical but owner of ground floor flat No.1/applicant is not impleaded. The office order of the MCD acknowledges the need for taking consent of 50% of the owners living in cubical. The said clause implies that the policy does not ignore the stake which the other owners may have in the installation of lift. In these facts and circumstances of this case the applicant is one of necessary party which needs to be heard before reaching any conclusion in the matter.
- Accordingly the application is allowed. Applicant is impleaded as respondent in the present case. Appellant is directed to file amended memo of parties on or before next date of hearing.

Put up for arguments on pending interim applications and appeal on **04.09.2025**.

A.No. 206/23

02.06.2025

Present : Sh. Ayaz Ahmad, Ld counsel for the appellant. Sh. Bhavya Chauha, Ld counsel for the respondent.

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

Ld counsel for the appellant seeks sometime to take instructions before address arguments in the matter. Put for the purpose already fixed on 20.11.2025.

A.No. 843/23

02.06.2025

Present : Sh. G.K. Singh, Ld counsel for the appellant along with Sh. Nagender Yadav, Advocate. Sh. Sandeep Kumar, Ld counsel for the respondent.

> An application under Section 151 CPC is filed on behalf appellant seeking permission to file additional documents on record. Copy supplied.

> Put up for further arguments on aforesaid application on 29.08.2025.

A.No. 118/20

02.06.2025

Present : Appellant in person. Sh. V.k.Aggawa, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

> It is informed that arguing counsel for appellant Mr. Vinit Sinha is unavailable today due to personal exigency. In the interest of justice, one more opportunity is granted to appellant to address arguments in the matter. Put up for the purpose already fixed on 21.11.2025.

A.No. 48/20

02.06.2025

Present : Ms. Kitabo W/o the appellant. Ms. Renu Soni, Nodal Officer on behalf of MCD.

> It is informed that arguing counsel for appellant Mr. Abhishek Kumar is unavailable today due to personal exigency.

> In the interest of justice, one last and final opportunity is granted to appellant to address arguments in the matter. Put up for the purpose already fixed on 21.11.2025.

A.No. 252/18

02.06.2025

Present : Ms. Sana Ansari, Ld counsel for the appellant. Ms. Praveen Sharma, Proxy counsel for Sh. H.R. Aggarwal, Ld counsel for MCD.

> An adjournment is sought on behalf of the MCD as main counsel Sh. H.R. Aggarwal is un-available 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 purpose fixed on 21.11.2025.

A.No. 427/18

02.06.2025

Present : Ms. Sana Ansari , Ld counsel for the appellant. Sh. K.K.Arora, Ld counsel for the respondent.

Ld. counsel for appellant submits that she is not having any instructions in this matter.

Notice be issued to appellant to appear in person on next date of hearing.

Put up for further proceedings on 25.11.2025.

A.No. 586/23

02.06.2025

Present : Sh. F.A. Khan, Proxy for the appellant. Sh. V.K. Aggarwal, Ld counsel for the respondent.

> An adjournment is sought on behalf of the appellant as main counsel Sh. M.S. Khan is un-available today due to bad health.

> In the interest of justice, one more opportunity is granted to appellant to address arguments in the matter. Put up for purpose fixed on 20.11.2025.

A.No. 1052/17 & 1051/17

02.06.2025

Present : None for the appellant. Sh.Dharamvir Gupta , Ld counsel for the respondent.

> Despite various calls none is appearing on behalf of the appellant in the Tribunal or through VC. Put up at 2.00 p.m.

> > (ABHILASH MALHOTRA) Addl. District & Sessions Judge P.O.: Appellate Tribunal, MCD 02.06.2025

2.15 P.M.

Present: As before.

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

It is 2.15 PM. The present appeal is dismissed in default.

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

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

A.No. 338/24 & 339/24

02.06.2025

Present : Sh. Anshu Bhardwaj, Associate counsel for the appellant joined through VC. Ms. Renu Soni, Nodal Officer on behalf of MCD.

Status report is filed by the MCD.

It is informed that arguing counsel for appellant Mr. P.K.Bhardwaj is unavailable today due to bad health. In the interest of justice, one more opportunity is granted to the appellant to address arguments in the matter. Put up for the purpose already fixed on 24.11.2025.

A.No. 655/23, 656/23, 630/23 & 632/23

02.06.2025

Present : Sh. Anshu Bhardwaj, Associate counsel for the appellant joined through VC.
Sh. Pritish Sabharwal, Ld. counsel for respondent 630/23 & 632/23.
Ms. Beena Sharma, Ld. counsel for MCD in appeal No. 655/23 & 656/23
It is informed that arguing counsel for appellant Mr. P.K.Bhardwaj is unavailable today due to bad health.
In the interest of justice, one more opportunity is granted to the appellant to address arguments in the matter.
Put up for the purpose already fixed on 24.11.2025.

A.No. 1110/16, 14/17, 15/15 & 16/17

02.06.2025

Present : Sh. G.D. Mishra, Ld counsel for the appellant joined through VC. Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.

Part arguments heard.

Ld. counsel for respondent / MCD submits that he has not received the complete record from MCD so far and needs some time to prepare their arguments in the matter. In the interest of justice, one more opportunity is granted to MCD to address arguments in the matter. Put up for the purpose already fixed on 21.11.2025. Interim orders to continue till the next date of hearing.

A.No. 350/21 & 351/21

02.06.2025

Present : Sh. Pooran Singh Mahar , Ld counsel for the appellant from LAC. Sh. V.K.Aggarwal, Ld counsel for the respondent.

> Ld. counsel for respondent / MCD seeks some time to file reply to the application under Order VI Rule 17 CPC. Advance copy be supplied to appellant.

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

> Put up for reply and arguments on aforesaid application on 21.11.2025.

Interim orders to continue till the next date of hearing.

A.No. 137/23

2.25 P.M. 02.06.2025

Present : None for the appellant.

Sh.Amit Kumar, Ld counsel for the respondent alongwith Sh. Ghanshyam Meena, AE(B).

It is already 2.25 P.M. Despite various calls no one has appeared on behalf of the appellant in Tribunal or through VC.

The Hon'ble High Court of Delhi has directed that the matter be decided in time bound manner.

In the interest of justice, one last and final opportunity is granted to the appellant to address the arguments on next date of hearing.

Put up for arguments on the point of appeal on 10.06.2025.

ABHILASH MALHOTRA) Addl. District & Sessions Judge P.O.: Appellate Tribunal, MCD 02.06.2025

At this stage Ld. counsel for appellant Mr. Atul Kumar Sharma and Mr. Joginder Rana appeared. They are informed about the order passed today.

A.No. 318/25

02.06.2025

Present : Sh.Dharamvir Singh & Ms. Shifali Jain, Ld counsel for the appellant.

Ms. Vasu Singh, Ld counsel for the respondent.

Vide separate judgment of even date, the present appeal is dismissed.

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