A.No. 375/25

05.06.2025

Fresh appeal filed. Be checked and registered.

Present:

Sh. Pushkar Aryal and Mrs. Toshi Sharma, Ld. counsel for the appellant.

- Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.
- 2. 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.
- 3. Ld. counsel for the appellant presses the interim application seeking ex-parte stay. He submits that during the proceedings before the MCD they have submitted reply dated 29.04.2025 which is not considered by the MCD. He submits that to the contrary the impugned order mentions that no reply is received. He submits that no hearing is provided to the appellant by the MCD before passing the impugned demolition order dated 21.05.2025. He submits that son of the appellant is suffering from mental health issues and in case any coercive action is taken at this juncture the appellant will suffer irreparable loss and mental agony.

- 4. Arguments heard. Record perused. The issue regarding non appreciation of the reply submitted by the appellant in the proceedings before the MCD goes to the root of the matter. The appellant has a mental health patient in his family who is stated to be suffering from 81% mental disability.
- 5. In view of the overall facts and circumstances, status quo be maintained in respect of the property in question till next date of hearing.
- 6. It is clarified that the observations made while passing of this order by this Court shall not tantamount to the expression on the merits of this case.
- 7. It is also directed that the appellant shall not carry out any further construction in the property in question without necessary approval as per law.

Put up for further arguments on pending interim applications as well as appeal on **28.07.2025**.

Copy of the order be given dasti.

A.No. 376/25

05.06.2025

Fresh appeal filed. Be checked and registered.

Present: Ms

Ms. Jyoti Mandal, 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 the appellant informs that they have already filed appeal challenging the sealing proceedings, which is listed before this Tribunal for tomorrow i.e. 06.06.2025.

Put up for arguments on interim application(s) and appeal on 06.06.2025.

A.No. 378/25

05.06.2025

Fresh appeal filed. Be checked and registered.

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

along with Sh. Rakesh Suri, Advocate.

Ld counsel for the appellant seeks sometime to file some

additional documents in support of their appeal. Put up

for consideration on 09.06.2025.

A.No. 379/25

05.06.2025

Fresh appeal filed. Be checked and registered.

Present:

Sh. Keshav Sethi, Ld. counsel for the appellant along with Sh. Avinash Sharma and Ms. Ambika Sethi, Advocate.

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

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 18.07.2025.

A.No. 381/25 & 382/25

05.06.2025

Fresh appeal filed. Be checked and registered.

Present: Sh. Mukesh Kumar Verma, 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 the appellant informs that they have already filed another appeal no. 83/24, which is listed before this Tribunal on 09.06.2025.

Put up for arguments on interim application(s) and appeal on 09.06.2025.

A.No. 85/25

05.06.2025

File is taken up today on an application seeking early hearing.

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

By the present application appellant is seeking permission to remove his goods from the property which is already lying sealed.

Notice of the application be issued to the MCD for 11.07.2025.

A.No. 253/25

05.06.2025

Present: Sh. Chinmay Jain, Ld counsel for the appellant.

Sh. Anshul Bedi, Ld counsel for the respondent.

Status report is filed by MCD. Copy supplied. Record is

already filed in the matter.

Ld counsel for the appellant seeks sometime wants to

inspect the record before addressing arguments in the

matter.

Put for the purpose already fixed on 06.11.2025.

A.No. 265/25, 269/25, 270/25, 271/25 & 272/25

05.06.2025

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

Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal No.265/25.

Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal Nos. 269/25, 270/25, 271/25 & 272/25.

Ld. counsel for MCD seeks some time to file status report as well as record. The same be filed before the next date of hearing.

Put up for filing status report, record and for arguments on pending interim application and appeal on **26.08.2025**.

A.No. 266/25

05.06.2025

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

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

Ld. counsel for appellant submits that he has instructions

to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant has

been recorded in this regard.

In view of the facts and circumstances, the appeal filed by

the appellant is dismissed as withdrawn.

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

information.

Appeal file be consigned to record room.

A.No. 332/25

05.06.2025

Present: Sh. Vijay K. Sehgal, Ld counsel for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of MCD

The record has been produced. It be deposited with

Registry.

MCD seeks sometime to file status report in the matter.

Advance copy be supplied to the appellant.

Ld. counsel for the appellant seeks sometime to inspect

the file before addressing arguments in the matter.

Put up for purpose fixed on 25.08.2025.

A.No. 334/25

05.06.2025

Fresh appeal filed. Be checked and registered.

Present:

Sh. Jitender Kumar , 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.
- 3. Ld. counsel for appellant presses an interim application seeking ex-parte stay. He submits that the property in question has been constructed prior to the year 2007 and falls within the ambit of protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. He submits that the file number of demolition order and the vacation notice is different and there is anomaly in the MCD record.
- 4. Arguments heard. Record perused. Appellant has placed on record GPA and sale agreement etc dated 17.01.2007 in respect of the property in question. The said documents show that in January 2007 the appellant has purchased plot of land ad-measuring 29 sq.ft. and no built up structure was there in the property. The electricity bill shows energization dated as 22.06.2010. The said bill is only for ground floor. No property tax record has been filed on record in respect of first floor

and second floor of the property. It is the case of the MCD that entire structure from ground floor to second floor has been re-erected. Appellant has failed to bring on record any document in respect of first and second floor of the property in question. It is also prima-facie apparent that due to erection of first and second floor the status quo for the floors below is also violated.

- 5. So far as the question of file number is concerned the show cause notice as well as the demolition order bears the same file number. The vacation notice bears the different file number but it does not dent the case of MCD. Vacation notice is issued in furtherance of demolition order to get the property evicted for carrying out demolition. Appellant has failed to show any primafacie case at this juncture to show his entitlement for adinterim ex-parte injunction and accordingly request is declined.
- 6. It is clarified that the observations made while passing of this order by this Court shall not tantamount to the expression on the merits of this case.

Put up for further arguments on pending interim applications as well as appeal on **11.08.2025**.

Copy of the order be given dasti.

A.No. 133/25

05.06.2025

Present:

Sh.Sandeep Kumar and Sh. Shubham Upadhyay, Ld counsel for the appellant with Mr. Sanjay Upadhyay, appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for appellant submits that they will initiate the process separately to apply for regularization in the present matter. He submits that they have already argued the present appeal and have no objection in case the Tribunal reserves its verdict and give decision in the matter.

Accordingly, put up for orders on 07.07.2025.

A.No. 93/25

05.06.2025

Present: Sh. Puran Chand, Ld counsel for the appellant along with

Sh. Anup Kumar Sharma and Ms. Renu, Advocates.

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

Status report is filed by the MCD. Copy supplied.

Mr. Abhaya Chaturvedi, AE(B) submits that they are not planning for demolition action as of now in respect of the property in question.

Ld counsel for MCD submits that matter may be taken up for arguments on the date already fixed.

In view of the submissions made, the application seeking early hearing is disposed off.

Put for the purpose already fixed on 01.09.2025 the date already fixed.

Copy of this order be given dasti to both the parties.

A.No. 300/25

05.06.2025

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

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

- Reply is filed by the MCD to the application for Stay.
 Copy supplied.
- An application under Section 151 of CPC is moved on behalf of MCD seeking waiver of cost which was imposed vide order dated 26.05.2025.
- Heard. In view of the exigency cited and the explanation tendered, the application is allowed and the cost is waived.
- 4. Part arguments on the point of interim application and appeal heard.
- 5. Ld. counsel for the appellant submits that the property in question is already having a sanctioned building plan dated 14.10.2014. He submits that MCD has passed the demolition order after booking deviations over and above the sanctioned building plan on all the floors. He submits that appellant is the owner of the whole property in question and is willing to remove all non-compoundable deviations which exist in the property. He submits that a joint inspection be ordered to ascertain compoundable and non-compoundable deviations so that the appellant can take appropriate steps for compounding the compoundable deviations.

6. Ld. counsel for the MCD do not oppose the request.

7. Accordingly, at joint request of the parties, a joint

inspection of the property in question be scheduled on

12.06.2025 at 2:00 p.m.

8. The MCD shall file status report for all floors highlighting

the following:-

i). Site plan showing covered area which is approved

as per sanctioned building plan. The structure which is

compoundable and its area be shown in green shade

in the site plan and non-compoundable structure and

its area in the red shade in the site plan;

ii) Measurement of deviations over and above

sanctioned building plan.

iii) Any other observations which may be necessary.

9. The status quo be maintained in respect of the property in

question till the next date of hearing. However, the

appellant is at liberty to remove / demolish the structure

as may be pointed out by the MCD in the joint inspection.

Put up for purpose fixed on 18.09.2025.

Copy of this order be given dasti to both the parties.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

05.06.2025 (s)

A.No. 1049/24 & 1048/24

05.06.2025

Present:

Sh. Manoj Kumar, Ld counsel for the appellant. Fresh Vakalatnama filed, same is taken on record.

Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal No.1049/24.

Ms. Renu Soni, Nodal Officer on behalf of Sh. Atul Tanwar, Ld. counsel for MCD in appeal No.1048/24.

In present case after reserving of the order written submissions were filed by the appellant.

Mr. Ashutosh Gupta, Ld. counsel for MCD in appeal No.1049/24 submits that he has received the copy of written submissions.

Mr. Atul Tanwar, Ld. counsel for MCD in appeal No.1048/24 is not available today.

Ld. counsel for MCD seeks some time to study the written submissions and address further arguments in the matter. Put up for further arguments on the point of appeal on 11.09.2025.

A.No. 312A/23

05.06.2025

Present:

Sh. D.K. Sharma, Ld counsel for the appellant along with appellant in person.

Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD along with Sh. Manish Tyagi, AE(B) and Ms. Anjum Bhardwaj, Dy. A&C, MCD.

Status report is filed by MCD in respect of the G8 No. 21514 dated 24.01.2002. Copy supplied.

Ld counsel for the appellant seeks sometime to study the report and inspect record before addressing further arguments.

Put for the purpose already fixed on 25.11.2025.

A.No. 315/22 & 316/22

05.06.2025

Present: Sh. Sanam Malhotra, Ld counsel for the appellant.

Sh. Sanjeet Kumar, Proxy counsel for Sh. Pritish

Sabharwal, Ld counsel for respondent.

Status report is filed by Ms. Mamta Yadav (IAS), Dy.

Commissioner, City SP Zone, MCD. Copy supplied.

In view of the exigencies cited, the application seeking

exemption is allowed for today.

Dy. Commissioner, City SP Zone, MCD is directed to

appear in person or through VC on next date of hearing.

Put up for purpose already fixed on 28.08.2025.

A.No. 504/18 & 513/18

05.06.2025

Present:

Sh. Abhishek Chandel, associate counsel for the appellant joined through VC.

Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC in appeal No.504/18.

Ms. Renu Soni, Nodal Officer on behalf of MCD on behalf of Sh. Ranjit Pandey, Ld. counsel for respondent in appeal No.513/18.

Mr. Ravi Ranjan, Ld. counsel for MCD clarifies that inadvertently his attendance was marked in appeal No.513/18 but he is engaged as counsel for MCD in appeal No.504/18.

It is informed that the arguing counsel for appellant Ms. Ashu Arora is unavailable today 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 fixed on 25.09.2025.

A.No. 45/24 & 363/23

05.06.2025

Present: Sh. Yashpal Bharti, Ld counsel for the appellant.

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

Ld counsel for the appellant submits that he is not in a

position to argue the matter 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 27.11.2025.

A.No. 554/23 05.06.2025

Present: None for the appellant.

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

Despite various calls no one is appearing on behalf of the appellant in the Tribunal or through VC.

Put up at 2.00 PM.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.06.2025

2:15 PM

Present: None for the appellant.

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

No one has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls.

It is already 2.25 PM. It appears that appellant is not interested to pursue this case. 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.

A.No. 283/22

05.06.2025

Present:

Sh. Saurabh Kumar associate counsel for the appellant

jo9ned through VC.

Sh. V.K. Aggarwal, Ld counsel for the respondent Nos. 1

& 2.

None for the respondents No.3 to 6.

Notice issued to respondent No.4 received back unserved. Despite directions of the Tribunal affixation is not done.

The Registry of this Tribunal is directed to ensure that a fresh notice be issued to respondent No.4 with the direction of affixation on the last known address in terms of order dated 13.02.2025. Any non-adherence shall be taken strictly.

Mr. Saurabh Kumar, associate counsel for appellant submits that he is recently engaged in the matter by the appellant and needs some time to inspect the record before addressing arguments in the present case.

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 24.11.2025.

A.No. 872/24

05.06.2025

Present: None for the appellant.

Ms. Mehak Arora, Ld counsel for the respondent in

appeal no. 872/24.

Sh. Rahul Molhotra and Sh. Chirag Goyal, Ld counsel for

intervener.

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

The matter is adjourned subject to cost of Rs. 5000/- to be deposited with the Registry of this Tribunal.

One last and final opportunity is granted to the appellant

to address the arguments in the matter.

Put up for purpose fixed on 25.11.2025.

A.No. 698/24

05.06.2025

Present:

Sh. Archit Mittal, associate counsel for the appellant

joined through VC.

Sh. Dharamvir Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Man Mohal Goel is un-available today as is suffering from brain stroke.

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 25.11.2025.

A.No. 608/24

05.06.2025

Present:

Sh.Roshan Lal, Sh. Suresh Chand Nunwal and Ms.

Rsohni, Ld counsel for the appellant.

Ms. Sarita Aggarwal , Ld counsel for the respondent

alongwith Nodal Officer, DDA.

Status report is filed by the DDA alongwith photographs,

copy supplied.

Ld. counsel for appellant seeks some time to study the

report and inspect the record before addressing the

arguments.

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 25.11.2025.

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

05.06.2025 (J)

A.No. 863/24 & 864/24

05.06.2025

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

through VC.

Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish

Sabharwal, Ld. counsel for respondent.

Ld. counsel for the appellant submits that they need to

take instructions for amending the present appeal.

Put up for purpose already fixed on 25.09.2025.

A.No. 47/23(M)

05.06.2025

Present: Sh. Vikas, Proxy for Sh. R.K. Pandey, Ld counsel for the

appellant.

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

/ MCD.

An adjournment is sought on behalf of the appellant as main counsel Sh. R.K. Pandey is un-available today

being busy in Saket Courts.

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 06.10.2025.

A.No. 99/18, 100/18 & 101/18

05.06.2025

Present: Proxy counsel 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. Dinesh Sharma is un-available today due to some personal exigencies.

Appellant is seeking continuous adjournments in this case and such practice is deprecated by this Tribunal.

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

Put up for purpose fixed on 26.11.2025.

A.No. 866/18

05.06.2025

Present:

Sh. Mukesh Kumar and Mohd. Ajam, Ld counsel for the appellant No.1.

Sh. Ranjit Kumar Singh, Ld. counsel for appellant No.2 &

3. Fresh Vakalatnama filed, same is taken on record.

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

Ld. counsel for appellant No.2 & 3 submits that he is recently engaged in the matter and needs some time to inspect the record before addressing arguments in the matter.

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

Put up for purpose fixed on 19.11.2025.

Interim protection granted vide order dated 15.09.2021 to continue till next date of hearing.

A.No. 30/19 & 930/18

05.06.2025

Present: Sh. Rajesh Raina, Sh. Shubham Sharma, Sh. Rehmat ali

Ld counsels for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of MCD

Part arguments heard.

Ld. counsel for appellant seeks sometime to inspect the record.

the interest of instine

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 27.11.2025.

Interim protection granted by my Ld. Predecessor vide order dated 16.01.2019 continue till the next date of hearing

A.No. 576/18

05.06.2025

Present: Sh. Harshit Sharma, Ld counsel for the appellant.

Sh. Mohit Sharma, Proxy counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. R.K. Kashyap is un-available today due to personal exgiencies.

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 27.11.2025.

Interim orders to continue till the next date of hearing.

A.No. 858/17 & 322/17

05.06.2025

Present: Proxy counsel for the appellant.

Sh. A.L. Agnihotri, Ld counsel for the respondent in

appeal no. 858/17 joined through VC.

Sh. V.K. Aggarwal, Ld. counsel for Ms. Praveen Sharma,

Ld counsel for respondent in appeal no. 322/17.

An adjournment is sought on behalf of the appellant as main counsel Sh. Madhusudan Bhayana is un-available today 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 fixed on 27.11.2025.

A.No. 780/17

05.06.2025

Present: Sh. G.R. Verma, Ld counsel for the appellant.

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

with Sh. Yashwant Singh, AE(B).

Part arguments heard.

Ld counsel for the appellant seeks sometime to file written submission before concluding their arguments in the matter.

Put up for further augments on the point of appeal on 27.11.2025.

AE (B) concerned is directed to remain present in person before this Tribunal.

A.No. 950/16

05.06.2025

Present: Sh. Rakesh Singh, Ld counsel for the appellant joined

through VC.

Sh. Madan Sagar, Ld counsel for the respondent.

Sh. Sanskar Arora, Ld. counsel for BSES.

Copy of letter dated 07.02.2025 written by MCD to BSES is supplied to Ld. counsel for the BSES. He seeks sometime to take instructions and file status report on behalf of BSES on the next date of hearing.

Put up for purpose fixed on 28.11.2025.