

A.No. 413/25

09.07.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Himanshu, 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 **16.07.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025

A.No. 414/25  
09.07.2025

**Fresh appeal is filed. It be checked and registered.**

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

Arguments on interim application seeking stay heard.

Put up for orders at 04.00 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (s)

**At 04.00 PM**

**Order**

1. 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 interim application seeking stay. He submits that vide order dated 27.06.2025 the Vacation Bench of the Hon'ble High Court of Delhi in W. P. (C ) 8542 of 2025 has granted protection to the property in question for a period of 15 days and disposed of the petition with liberty to approach this Tribunal.
4. It is submitted by Ld. counsel for the appellant that the property is located in Village Abadi and the cut off date applicable is 01.06.2014. He submits that appellant has filed the electricity bills before the MCD showing the energization date of ground, first, second and third floor prior to cut off

date. He submits that there is no whisper about the said documents in the impugned order passed by the MCD. He submits that the structure is old and protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

5. The appellant has placed on record electricity bills which show that energization date of the ground floor in the year 2000 and the energization date of second and third floor in the year 2009. The aforesaid documents go to the root of the matter. It is the case of the appellant that these documents were filed before the MCD and not appreciated in the impugned order.
6. In these circumstances, the status quo be maintained in respect of the property in question till next date of hearing.
7. It is clarified that the observations made while passing of this order by this Tribunal shall not tantamount to the expression on the merits of this case.
8. 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 arguments on interim application(s) and appeal on **21.08.2025**.

Copy of this order be given dasti.

A copy of this order be also communicated to the AE (B) concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (s)

A.No. 444/25

09.07.2025

Fresh appeal filed. Be checked and registered.

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

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.

Sh. Ashutosh Gupta, Ld counsel has appeared on behalf of MCD and accept the notice of the appeal.

Put up for arguments on application seeking condonation of delay, interim applications and appeal on 18.07.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 445/25

09.07.2025

**Fresh appeal filed. Be checked and registered.**

Present : Sh. J.P.Singh, Ld. counsel for the appellant along with  
Ms. Sonia, Sh. Shivendu Chauhan, Advocates.

Arguments on interim application seeking stay heard.

Put up for orders at 4:00 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

**04:00 PM**

**Order**

1. 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 appellant presses the interim application seeking stay. It is submitted that the structure in question is old and protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment, 2011. He submits that appellant has filed electricity bill to show that the property is old. He submits that on terrace

of third floor appellant has erected temporary tin shed and he is ready to remove the same.

4. Arguments heard and record perused. Appellant has not filed copy of demolition order. Appellant has approached the Tribunal upon receipt of vacation notice dated 03.07.2025. The vacation notice shows that MCD has initially booked the property in the year 2014 when the second floor was constructed and thereafter in continuation of previous booking MCD booked the property for second time in the year 2021 in respect of unauthorized construction on third floor. The appeal is definitely hit by the limitation period and question of limitation needs to be decided on merits.
5. It is the case of appellant that structure is old and he is relying upon electricity bill. It is the admitted position of appellant that the building does have any sanctioned building plan and no property tax return was filed by appellant to substantiate claim that structure is old. Apart from that appellant has taken contradictory stand in para '4' & '12' of the pleadings. In para '4', it is stated that property consisting of stilt parking, ground floor, first floor and second floor was in existence much prior in the year 2008. To the contrary in para '12' of pleadings it is stated that building consisting of ground floor, first floor, second floor and barsati was completed in the year 2010. It is apparent that the pleadings are inconsistent and contradictory regarding the period of construction.

6. On the other hand, MCD has done stage wise booking which prime facie shows that status quo was breached initially at the time of construction of second floor in the year 2014 and then by erection of third floor in the year 2021. It is prima facie apparent from vacation notice that status quo is breached and appellant cannot said to be entitled to seek ex parte ad-interim relief under Section 3 of National Capital Territory of Delhi Laws (Special Provision) Second Amendment, 2011. Accordingly the request for ex parte ad-interim stay is declined.

7. 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 arguments on application seeking condonation of delay and interim applications as well as appeal on 21.08.2025.

Copy of order be given dasti to both the parties.

Copy of order be also communicated to AE(B) concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 446/25

09.07.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Parul Agarwal, Ld. counsel for the appellant.

1. 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 interim application seeking stay. She submits that the appellant is concerned with the second floor and the third floor of the property in question. She submits that on the third floor they have erected a temporary shed and she is not pressing the interim application in respect of the temporary shed on third floor. In respect of the second floor, it is submitted by the Ld. counsel for appellant that the structure is old and is also reflected in the registered gift deed dated 03.12.2009. She submits that no hearing was granted by the MCD to the appellant before passing of the impugned order. She submits that neither the show cause notice nor any demolition order was served upon the appellant and appellant did not get any opportunity to place on record documentary evidence before the MCD to substantiate his claim that the property falls under the protection provided by National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.



4. Arguments heard. Record perused. Appellant has placed on record the registered gift deed of the year 2009 which reflects gift of second floor with roof / terrace. It is the case of the appellant that no hearing was granted by the MCD and the show cause notice as well as demolition order were also not served. The contentions raised by the appellant goes to the root of the matter and needs to be appreciated on merits.
5. In view of the above facts and circumstances, status quo be maintained in respect second floor of the property in question only till next date of hearing. Appellant shall take steps for removal of shed on third floor and file affidavit by 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 21.08.2025.

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

Copy of the order be given dasti.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 551/19

09.07.2025

**File is taken today on application seeking temporary de-sealing.**

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

Ld counsel for appellant submits that MCD is going on to take demolition action against the property in question. He submits that appellant wants to remove his goods from the property and in case demolition action happens, the application will become infructuous.

Accordingly, notice of the application be issued to MCD for tomorrow i.e. 10.07.2025.

Copy of orders be given dasti.

Copy of the orders be communicated to the AE(B) concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No.417/25 & 420/25

09.07.2025

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

Ld counsel for the appellant has placed on record copy of order dated 05.07.2025 passed by Court of Ms. Sukhvinder Kaur, Ld Principal District & Sessions Judge, Shahdara, KKD Delhi. She submits that they have withdrawn their application seeking stay of the impugned order before Court of Ms. Sukhvinder Kaur, Ld Principal District & Sessions Judge, Shahdara, KKD Delhi.

Ld counsel for MCD submits that they have no objection in case the Tribunal adjudicates the matter.

It is informed that the other connected matters are already listed before this Tribunal on 15.07.2025.

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 15.07.2025..

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 344/25

09.07.2025

Present : Proxy for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent along  
with Sh. Devraj Chavdhari, AE(B).

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

Record has been produced. It be deposited with Registry  
and tagged with the file during the course of day.

It is informed that arguing counsel for appellant Mr.  
Manmohan Tomar is not available due to 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  
09.07.2025 (V)

A.No. 345/25

09.07.2025

Present :           None for the appellant.  
                  Ms. Renu Soni, Nodal Officer on behalf of the respondent  
                  / MCD.

MCD seeks sometime to file status report and the same  
be filed within seven working days from today in the  
registry of this Tribunal.

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

Put for the purpose already fixed on 08.12.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 529/24

09.07.2025

Present : Sh. Gaurav Sharma, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent along  
with Sh. S.C. Mishra, ALO, Central Zone.

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

Ld counsel for MCD informs that Law Department, MCD  
has forwarded the matter to Town Planning Department,  
MCD for expert opinion.

Accordingly, put up for further proceedings on  
08.12.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 712/24

09.07.2025

Present : Sh. V.K. Mantoo, Ld counsel for the appellant.  
Sh. Atul Tanwar , Ld counsel for the respondent along  
with Sh. Sanjeev Kaushik, AE(B).

1. The present appeal is filed by appellant impugning the order dated 08.08.2024 by which addition/alteration sanction plan of the appellant was rejected on the ground of encroachment on government/municipal land at ground floor as well as first floor.
2. The Writ petition bearing no. 7070/2025 & CM APPL. 31930/2025, CM APPL. 31931/2025 was filed by appellant before Hon'ble High Court of Delhi. By order dated 23.05.2025 the Hon'ble High Court of Delhi directed MCD to inspect the property in question and take action in accordance with law.
3. Mr. Sanjeev Kaushik, AE(B), Shahdara (North) Zone informed that they have already written a letter dated 23.09.2024 to the Executive Engineer, Maintenance Department-II, Shahdara (North) Zone, MCD requesting to take action against encroached area of 7.32 sq. meters of government land. He informs that action to remove the encroachment needs to be taken by the Maintenance Division, MCD.

4. Ld counsel for appellant submits that due to inaction of the MCD despite directions of Hon'ble High Court of Delhi they are not able to get their plan sanctioned and suffering due to wrong done by others. He submits that appellant has sent representation on 25.05.2025 to the MCD reminding them about directions of Hon'ble High Court of Delhi, but no action is taken so far.
5. The Deputy Commissioner concerned as well as Superintending Engineer, Maintenance Department are directed to appear in person and file status report informing about steps which have been taken in furtherance and compliance of the directions issued by the Hon'ble High Court of Delhi to remove encroachment.
6. Put up for further filing status report by MCD and further proceedings on 21.07.2025.

Copy of orders be given dasti.

Copy of orders be sent to concerned Deputy Commissioner and Superintending Engineer-I, Shahdara (North) Zone, MCD.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)



A.No. 267/25  
09.07.2025

Present :

Sh. Vaibhav Sethi, Ld counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent alongwith  
Sh. S.S. Chauhan, AE(B).

Mr. Sanjeev Mudgil, EE(B) has appeared through Video Conferencing. He informs that the demolition action was taken against the property in question. There is no whisper of the demolition action in the status report filed by the MCD. Record of the said demolition action is also not produced. To the contrary Sh. Sanjeev Kumar, AE(B) who filed the status report dated 01.05.2025 has disputed the jurisdiction of this Tribunal. The report filed by the MCD is found unsatisfactory.

Accordingly, Dy. Commissioner concerned is directed to file a detailed status report under his signature apprising about the status of construction and action taken by the MCD. The report shall also clarify grounds on which the jurisdiction of this Tribunal is disputed by the AE(B) in his report.

The Dy. Commissioner concerned shall also appear through VC on next date of hearing.

Put up for filing status report by the Dy. Commissioner concerned on **22.07.2025**.

Copy of this order be sent to the Dy. Commissioner concerned for necessary compliance.

Copy of the order be also given dasti.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 180/23 & 181/23

09.07.2025

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

Status report is filed by MCD in terms of previous order.  
In the report MCD has acknowledged the issuance of  
rectification order dated 07.10.2020 & 06.05.2004.

Arguments on application under Section 5 of Limitation  
Act as well as appeal are heard at length from Ld.  
counsel of both the parties.

Put up for orders on 22.07.2025.

Interim orders to continue till the next date of hearing in  
appeal no.180/2023.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 627/22

09.07.2025

Present : Sh. Syed Hasan Isfahni, Ld counsel for the appellant  
joined through VC.  
Sh. S.Adhil Hussain, Ld counsel for the respondent.

An application under Section 151 CPC is moved by MCD  
seeking modification of order dated 29.05.2025.

Ld. counsel for MCD submits that due to bad health he  
could not collect the order and communicate it to the  
concerned AE(B). He requests to reschedule the joint  
inspection in terms of said order.

At joint request of parties inspection be rescheduled on  
14.07.2025 at 12:30 PM in terms of previous order dated  
29.05.2025.

Put up for the purpose already fixed on 15.09.2025.

Copy of order be given dasti to both the parties.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 175/25

09.07.2025

Present : Sh. M.Mukul & Sh. J.K.Pandey, Ld counsel for the appellant.

Sh. V.K.Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

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 case.

Put up for the purpose already fixed on 11.12.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 594/13

09.07.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.

No representative is appearing from law department,  
MCD.

Fresh notice be issued to the CLO / MCD in terms of  
previous order with the request to depute representative  
to assist the Tribunal.

Put up for arguments on the point of appeal on  
16.10.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 07/25

09.07.2025

Present : Ms. Somyaa Gurung, Ld counsel for the applicant /  
appellant.

Ms. Renu Soni, Nodal Officer on behalf of MCD.

Nodal officer submits that they are in process to depute  
an advocate in this case and will file reply on or before  
next date of hearing. Advance copy be supplied to  
applicant.

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

Put up for the purpose already fixed on 18.09.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 15/25

09.07.2025

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

Reply to the application under Order IX Rule 9 CPC as well as application seeking condonation of delay is filed by MCD. Copy supplied.

Ld. counsel for appellant seeks some time to peruse the same before addressing arguments in the matter.

Put up for arguments on aforesaid applications on 08.08.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 R

A.No. 143/25

09.07.2025

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

Status report is filed by the MCD, copy supplied.

Ld counsel for the appellant seeks sometime to file written submissions showing the flow of the title from previous owners to appellants.

At request of both the parties matter is listed for arguments on pending interim application and appeal on 18.07.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (B)



A.No. 556/24 & 328/24

09.07.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ashutosh Gupta , Ld counsel for the respondent in  
appeal no. 556/24.  
Sh. Pritish Sabharwal, Ld. counsel for respondent in  
appeal no. 328/24.

1. MCD has filed a status report informing that the regularization application has been rejected vide letter dated 22.05.2025.
2. Ld. counsel for appellant submits that they are in process of removing the anomalies highlighted by the MCD in the aforesaid letter and have already filed an application requesting re-opening of regularization proceedings.
3. Ld. counsel for MCD submits that in case appellant remove the anomalies highlighted, the MCD will consider the aspect of re-opening of regularization proceedings.  
At the request of the parties, put up for further proceedings on 10.12.2025.  
Interim orders to continue till the next date of hearing in appeal no. 556/24.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 770/23

09.07.2025

Present : Ms Shagun Verma, Ld 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. B.S. Sharma is un-available today being unwell.

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 **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 1019/24

09.07.2025

Present : Sh. Anuj Baavra, Ld counsel for the appellant joined through VC with Mr. Rajesh husband of the appellant present in Tribunal.  
Sh. Avishek Kumar, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Manmohan Swarup 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 **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 55/25

09.07.2025

Present : Sh. T. Parth , Ld counsel for the appellant with Sh. Abhishek Rana and Ms. Mansi Shukla, Advocates.  
Sh. Ajay Gaur, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Shrey Tanwar 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 **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 481/22

09.07.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Sh. Mahipal Singh, Ld. counsel for intervener.

1. Status report is filed by the MCD in the Registry of the Tribunal on 03.06.2025. In the status report it is informed that the property booked by the MCD does not belongs to the appellant. The relevant extract of the status report is re-produced below:

“...2. It is submitted that the property has been inspected on 22.04.2025 by the then Junior Engineer (Bldg)/KBZ and noticed that there are multiple properties with the same address i.e. property No.WZ-130-D, Naraina Village, Delhi.

3. That after inspecting the property no.WZ-130-D, Naraina Village, Delhi, the then JE(B)/KBZ submitted that the property booked vide file no.B/UC/KBZ/2021/144 dt. 15.07.2021 by the MCD does not belongs to appellant. Photographs of the property taken during inspection are annexed herewith for kind perusal of the Hon'ble Court.”

2. An application under Section 151 CPC is moved by the appellant seeking permission to withdraw the appeal in view of the status report filed by the MCD.

3. Ld. counsel for intervener submits that MCD in their status report is suppressing the facts and not presenting the correct position before the Tribunal. He submits that along with application under Order 1 Rule 10 CPC they have filed a copy of letter dated 18.03.2021 written by the MCD to SHO Naraina (page-21) and the communication from the SHO to the MCD (page-22). He submits that the communication made by the SHO to the MCD clearly mentions the property number of the unauthorized structure and name of the owner/landlord as Smt. Ved Wati who is mother of the appellant. He submits that letter dated 18.03.2021 written by the MCD to the SHO concerned bears the signature of Mr. Amit who is present in the Tribunal today (Mr. Amit disputed his signature on receiving). He submits that in view of the aforesaid documents there is no confusion about the identity of the property booked by the MCD and by status report dated 09.07.2025 MCD is doing an eye wash to protect the property of the appellant by mis-representing the facts.
4. Clarifications are required from the Dy. Commissioner concerned as well as AE(B) concerned in respect of the issues regarding the identity of the property which are highlighted by the Ld. counsel for intervener. The issues becomes more important in light of the facts, that MCD record contains photographs of the property where the affixation proceeding is carried out.

5. Accordingly the AE(B) concerned as well as Dy. Commissioner concerned are directed to appear in person on next date of hearing and file detailed status report clarifying the position as to identity of the property especially the documents which have been highlighted by the Ld. counsel for intervener and photographs on MCD record.

Put up for filing of status report and for arguments on interim application and appeal on **22.07.2025 at 2.30 p.m.**

Copy of the order be communicated to the AE(B) concerned as well as Dy. Commissioner concerned for compliance.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 764/13

09.07.2025

Present : Sh. R.K. Tarun, Ld counsel for the appellant.  
Sh. Pritish Sabharwal, Ld. counsel for respondent.  
Ms. Sanya Sharma, Ld. counsel for intervener joined  
through VC.

Part arguments heard.

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 **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)



A.No. 337/22 & 338/22

09.07.2025

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

No one is present on behalf of the appellant in Tribunal  
and in VC despite various calls since morning.

No adverse order is being passed today in the interest of  
justice.

Put up for purpose fixed on **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025

A.No. 240/22 & 309/20

09.07.2025

Present : Sh. Parul Agarwal, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent  
/ MCD.

Part arguments heard.

It is informed that Mr. Ashutosh Gupta Ld counsel for MCD is busy in some other Court not in a position to appear before this Tribunal today.

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

Put up for purpose already fixed on 10.09.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 292/20

09.07.2025

Present : None for the appellant.  
Sh. Sagar Dhama, 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 PM.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025

Present : None for the appellant.  
Sh. Sagar Dhama, Ld counsel for the respondent.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls. None had appeared on behalf of the appellant on 25.02.2025 as well.

It is 2.40 PM. The present appeal is dismissed in default for non prosecution.

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.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 385/21

09.07.2025

Present : Sh. Raushan Kumari, proxy counsel for the appellant.  
Sh. Vipin Singh, Ld counsel for the respondent joined through VC.  
Sh. Naresh Sharma, Ld. counsel for DDA.

It is submitted that arguing counsel for appellant Mr. Gurpreet Singh has fallen from stairs in the Court premises and has gone for medical treatment, therefore not in a position to appear in the Tribunal today.

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

By order dated 07.11.2024 the Worthy Commissioner, MCD was requested to depute a representative from law Department. No one has appeared.

Ld. counsel for MCD submits that they will ensure the presence of representative from Law Department, MCD on next date of hearing.

Put up for arguments on application seeking condonation of delay, pending interim application and appeal on **08.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 881/24

09.07.2025

Present : Sh. A.C. David, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of MCD.

Part arguments heard.

Sh. Ashutosh Gupta, Ld. counsel for MCD is not available today being busy in some other court.

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

Put up for purpose fixed on **12.12.2025**.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (R)

A.No. 664/24

09.07.2025

Present : Sh. Kamal Jindal, Ld counsel for the appellant alongwith  
appellant in person.  
Ms. Mehak Arora, Ld counsel for the respondent.

Appellant present in the Tribunal submits that he wants to  
withdraw the present appeal.

Separate statement of the 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.

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  
09.07.2025 (J)

A.No. 301/24 & 364/23

09.07.2025

Present : Sh. Puran Chand & Sh. Pawan Gupta, Ld counsel for the appellant.

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

Ld counsel for appellant submits that he is recently engaged and needs sometime to inspect the record for 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 09.12.2025.

Interim orders to continue till the next date of hearing in appeal no. 301/24.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 336/22

09.07.2025

Present : Sh. Trivesh Sharma, Proxy counsel for the appellant.  
Sh. V.K. Aggarwal, Proxy Ld counsel for Sh. H.R.  
Aggarwal Ld counsel for the respondent.

An adjournment is sought on behalf of the respondent 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 the respondent to address the arguments in the matter.

Put up for purpose fixed on 09.12.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)



A.No. 466/22

09.07.2025

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

An adjournment is sought on behalf of both the parties as the counsels are not available in the post lunch session today.

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

Put up for purpose fixed on 10.12.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 988/24

09.07.2025

Present : Ms Malti, Proxy counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Sh. Harmeet Singh Bhasin, Ld counsel for intervener.

An adjournment is sought on behalf of the appellant as main counsel Sh. Sanjay Kumar is un-available today as he suffered injuries and not in a positing to appear before this Tribunal.

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 24.09.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 967/24

09.07.2025

Present : Sh. Adamaya Pal Singh, Ld counsel for the appellant  
joined through VC.

Sh. S. Adil Hussasin, Ld counsel for the respondent.

Ld counsel for appellant submits that he is not having any  
instructions from appellant in the present case.

Notice be issued to appellant to appear in person or  
through authorized their representative on next date of  
hearing.

Put for the purpose already fixed on 10.12.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 782/23

09.07.2025

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

Sh. Pritish Sabharwal, Ld counsel for the respondent.

Part arguments heard.

Ld counsel for appellant seeks sometime to take further instructions before concluding his arguments on application under Order 1 Rule 10 CPC.

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

Put up for further arguments on application under Order 1 Rule 10 CPC as well as appeal on 11.12.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 173/21

09.07.2025

Present : Sh. Nirmal Gaur, Ld counsel for the appellant.  
Sh. Kanwal Kochhar, Ld counsel for the respondent for  
respondent no. 1.  
Sh. Naveen Dalal, Ld counsel for the respondent for  
respondent 2.  
Respondent no. 3 present in the Court.

AE(B) concerned who passed impugned order dated  
05.03.2021 is absent.

Ld counsel for the MCD assures that he will appear  
before this Tribunal on next date of hearing.

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

Put up for further arguments on the point of appeal on  
22.09.2025.

Copy of orders be given dasti

Copy of the orders be communicated to the AE(B)  
concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 24/15

09.07.2025

Present : Sh. Savita Malhotra , Ld counsel for the appellant along with Sh. Prashant Bisht.  
Sh. Madan Sagar, Ld counsel for the respondent.  
Sh. Dipankar Aggarwal, Proxy of Ld counsel for respondent nos. 2-4.

Part arguments heard

An adjournment sought on behalf of respondent nos. 2-4 as arguing counsel Sh. P.K. Rawal is not available today being busy in Hon'ble High Court of Delhi.

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

Put up for the purpose fixed on 09.12.2025.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (V)

A.No. 161/18

09.07.2025

Present : Sh. Ajay Upadhaya, Ld counsel for the appellant.  
Sh. Ranjit Pandey, Ld counsel for the respondent joined through VC.  
Sh. Manish Choudhary, Respondent No.5 in person.

Ld. counsel for MCD seeks some time to file status report in terms of the order dated 30.01.2025. On 19.02.2025 and 23.04.2025 also MCD sought time to file status report and were accommodated.

Due to non filing of status report and documents, hearing in the present matter is getting delayed.

MCD is directed to comply the order dated 30.01.2025 on or before next date of hearing failing which Dy. Commissioner concerned shall appear in person on next date of hearing and tender explanation for non compliance.

Put up for further arguments on the point of appeal on **08.09.2025 at 2.30 p.m.**

Copy of order be communicated to AE (B) and Dy. Commissioner concerned.

(ABHILASH MALHOTRA)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
09.07.2025 (J)

A.No. 159/25

09.07.2025

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

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

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  
09.07.2025