

A.No. 478/25, 479/25, 480/25, 481/25, 482/25, 483/25, 484/25 & 485/25

22.07.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Rohit Jain & Gaurav Jain, 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 31.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 487/25 & 488/25
22.07.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Urfee Haider and Ms. Bharti Yadav, Ld. counsel for the appellant in appeal No.487/25.
Sh. Ajay Lulla, Ld. counsel for appellant in appeal No.488/25 along with appellant in person.
Sh. Sudhir Gupta, Ld. counsel for interveners in appeal No.488/25.

1. Appeal No. 487/25 is filed by Punjab & Sind Bank and appeal no. 488/25 is filed by owner/landlord against impugned sealing order dated 17.07.2021.
2. Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.
3. 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.
4. By order dated 17.07.2025 passed under Section 345A of the DMC Act, MCD has ordered for sealing of property in question for carrying out commercial activities in violation of the MPD-2021. Ld. counsel for appellant / bank in appeal No.487/25 submits that Punjab & Sindh Bank is running banking business from the premises in question. He submits that bank has around 10,045 bank accounts and 75 lockers. He

submits that in case the sealing action is carried out by the MCD the banking activities will come to halt and huge number of customers will suffer. Ld. counsel for appellant bank submits that without going into the merits of the matter, bank is in process of taking a decision for relocating the branch to some other place and seeks one week time to apprise the position in that regard.

5. From the record it is apparent that banking activities are being carried from the premises. Ld. counsel for bank submits that they are in process of relocating bank branch to some other place and has sought one week time to apprise the position in that regard.
6. Keeping in view the exigencies that a banking business is being run from the premises in question and sealing of the property at this juncture without providing any reaction time to the bank may hamper the public service, the operation of the sealing order is stayed till next date of hearing only.
7. The appellant bank shall inform about decision taken in regard to the relocation of the bank on next date of hearing.
8. 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.

9. An application under Order 1 Rule 10 CPC is moved on behalf of the interveners in appeal No.448/25. Copy supplied.

10. Put up for filing reply and arguments on an application under Order 1 Rule 10 CPC (appeal No.488/25), arguments on interim application(s) and appeal on **31.07.2025**.

Copy of the order be given dasti.

Copy of order be sent to Dy. Commissioner concerned as well as AE(B) concerned.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 490/25

22.07.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ayush Gupta, 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 05.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 491/25

22.07.2025

Fresh appeal is filed. It be checked and registered.

Present : Sh. Himanshu Anand, 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. At this stage, Ld. counsel for the appellant presses for interim application seeking ex-parte stay. He submits that MCD issued Vacation Notice dated 15.07.2025 and they apprehend demolition action. He submits that in case protection is not granted at this juncture the appeal will become infructuous especially considering the fact that regularization application is still pending with MCD.
4. It is submitted by Ld. counsel for the appellant that the show cause notice dated 18.12.2024 was issued only in respect of property bearing no. 625-626 Main Road, Chandni Chowk, Delhi. He submits that the MCD has passed the demolition order in respect of property bearing no. 627 also. He submits that MCD has

transgressed beyond the show cause notice and demolition order is patently illegal.

5. He submits that MCD in demolition order has alleged partition of hall into small rooms to create extra dwelling units. He submits that question of creating dwelling unit does not arise as the property is commercial. He submits that Appellate Court of Hon'ble Lieutenant Governor, Delhi in Case No. 37/1987 vide order dated 14.10.1987 clarified that no specific permission for raising partition wall is required and the order passed by the MCD is ignorance of the said settled legal position.
6. He submits that in respect of the allegations of extension of mezzanine floor and staircase, no measurements or the site plan is prepared by the MCD. He submits that property is old and staircase and mezzanine floor already exist in the property which is covered within the scope of protection. He submits that the order does not provide the period of alleged construction and passed in ignorance of mandate in the case of **Masonic Club Vs MCD & Anr (2001)91 DLT 149.**
7. In respect of the allegations a defective height of ground floor. Ld. counsel for the appellant submits that the documentary evidence record shows that the property is old structure and protected. He submits that it is not the case of the MCD that the appellant

has raised the slab height and MCD cannot find fault in the height of the floor, in view of the protection available under the National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

8. Ld. counsel for the appellant submits that the order is also in violation of directions passed by the Hon'ble Supreme Court of India in the case titled as Re. Directions in the matter of Demolition of structure W.P.(C) 295/2022 vide judgment dated 13.11.2025. He submits that the MCD in its order has failed to specify which portion of the booked structure is compoundable and non-compoundable and non-compliance of the said directions also vitiates the demolition order.
9. I have heard the arguments and perused the record. The show cause notice dated 18.08.2024 is in respect of property bearing no. 625-626 and the demolition order is passed against the property no. 625 to 627. It is *prima facie* clear that the demolition order has been passed against the property no. 627 which was not included in the show cause notice.
10. In addition to the aforesaid, the arguments advanced by Ld. counsel for the appellant in respect of the other deviations also needs to be considered in the light of the documentary evidence filed by the appellant. It is

informed that regularization application moved by the appellant is pending with the MCD.

11. In view of the aforesaid, status quo be maintained in respect of the property in question till next date of hearing.

12. 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.

13. 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 **09.09.2025**.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (s)

A.No. 175/13

22.07.2025

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

An application seeking repair of the property in question is moved by appellant.

Ld counsel for the MCD submits that the appeal is listed for final arguments on 07.08.2025 and instead of going into the question of interim application for repair the appeal be heard on merits.

Ld counsel for appellant do not opposes the request and submits that the application be kept pending and they will address the final arguments on next date of hearing.

Ld counsel for MCD assure that they will not take any adjournment in the matter.

At joint request of the parties, matter be listed for arguments on the point of appeal on date already fixed on 07.08.2025 at 02.30 PM.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 132/23 &133/23

22.07.2025

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

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

Ld counsel for the MCD submits that the appeal is listed for final arguments on 07.08.2025 and instead of going into the question of interim application for repair the appeal be heard on merits.

Ld counsel for appellant do not opposes the request and submits that the application be kept pending and they will address the final arguments on next date of hearing.

Ld counsel for MCD assure that they will not take any adjournment in the matter.

At joint request of the parties, matter be listed for arguments on the point of appeal on date already fixed on 07.08.2025 at 02.30 PM.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 176/25
22.07.2025

Present :

Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent with
Sh. Shubham Bansal, AE(B).
Sh. Gajender Singh A.E., PWD.

1. Copy of order dated 16.07.2025 passed by Hon'ble High Court of Delhi in CONT. CAS(C) 869/2025 is filed.
2. Ld. counsel for appellant submits that Hon'ble High Court of Delhi has clarified that parties are at liberty to address arguments before this Tribunal and there is no embargo on jurisdiction of this Tribunal to adjudicate this appeal. Ld. counsel for MCD confirms the position. The relevant extract of the order is reproduced below.

“.....2 No such directions were passed in order dated 28th May 2025, to impede the ATMCD in this regard.

3. Accordingly, the same stands clarified.

4. Further, it is made clear that the Court is not passing any observations on the merits of the parties case. The parties will be at liberty to address their arguments before the ATMCD.

5. Application stands disposed of”

3. Part arguments on the point of interim application as well as appeal heard. In the present case the appellant has impugned the regularization order dated

17.02.2025 by which the regularization application was rejected by the MCD on following grounds:

“AND WHEREAS, on the basis of aforesaid comments received from Town Planning Department/MCD, it is clear that the ROW has not been maintained or encroached upon to a sizeable extent. On this obvious and sole ground the proposal for regularization, in its present form (without surrendering or leaving the encroached area) is not maintainable and is hereby rejected; entailing further course of action, as already recorded U/s 343/344 of DMC Act.”

4. The bone of contention in the present case is ROW of the National Highway. As per the impugned order, ROW of National Highway is not maintained by the appellant.
5. Mr. Gajender Singh, AE/PWD submits that they were earlier maintaining the National Highway but now it has been handed over to NHAI. He submits that any quarries in respect of ROW or extension plan of the National Highway can only be addressed by NHAI.
6. Ld. counsel for MCD also highlights letter dated 20.07.2016 (Page-58). He submits that the Executive Engineer, PWD has given their report without consulting the NHAI and the said report cannot be said to be a conclusive finding that there is no

proposal for extension of Highway. He submits that in order to adjudicate the present case the clarifications are required from NHAI.

7. I found merit in submissions made by Ld. counsel for MCD. In order to appreciate the issue of ROW and road expansion it is necessary to seek clarifications from NHAI. Accordingly notice be issued to the worthy Secretary, NHAI requesting to depute a representative to assist this Tribunal in the present matter. Copy of this order as well as copy of the impugned order dated 17.02.2025, letter dated 20.07.2016, letter dated 30.09.2015 and 21.09.2015 be sent alongwith notice.
8. As the interim application and the appeal is part heard, therefore, status quo be maintained in respect of the property in question till next date of hearing subject to directions passed by the Hon'ble High Court.
9. 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.
10. 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.
11. The representative from PWD shall also remain present in person on next date of hearing.

Put up for further arguments on pending interim applications as well as appeal on **28.08.2025**.

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

Copy of order be given Dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 380/25

22.07.2025

Present : Sh. Harish Kumar, Ld counsel for the appellant.
Sh. Ajay Gaur, Ld counsel for the respondent along with
Sh. Vinod Bansal, AE(B) in person.

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

Ld counsel for the appellant seeks sometime to inspect the record on addressing arguments in the matter.

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

Put up for further arguments on pending interim applications and appeal on 18.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 387/25

22.07.2025

Present : Sh. Pramod Gupta, Ld counsel for the appellant.
Sh. Ajay Gaur, Ld counsel for the respondent along with
Sh. R.D. Chauhan, AE(B) in person.

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

Ld counsel for the appellant seeks sometime to inspect the record before addressing arguments in the matter.

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

Put up for further arguments on pending interim applications and appeal on 23.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 395/25

22.07.2025

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

Present : Sh. R.K. Singh, Ld counsel for the appellant along with
Sh. Gagan Bhuraria, Advocate.
Sh. Ashutosh Gupta, Ld counsel for the MCD.

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.

Notice of the application be issued to the respondent MCD for 29.07.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

Misc.A.No. 17/25 (M)

22.07.2025

Present : Sh. Mukesh Kumar and Mohd. Ayan, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.

An application under Section 5 of the Limitation Act is filed on behalf of applicant/appellant.

Ld. counsel for MCD seeks some time to file reply to the application seeking restoration of the appeal as well as application seeking condonation of delay. Opportunity granted.

Put up for filing reply and arguments on aforesaid applications on **26.09.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 440/25 & 442/25

22.07.2025

File is taken up today on an application seeking withdrawal of the appeal.

Present : Sh. Amit Kumar Ld counsel for the appellant.

Ld. counsel for appeal request to list the application on date already fixed as the appellant is out of station.

Accordingly, the application be listed on date already fixed i.e. **01.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 472/25

22.07.2025

Present : Sh. Rishabh Jain, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC with Ms. Renu Soni, Nodal Officer on behalf of MCD present in Tribunal.

Status report is filed by the MCD, copy supplied.

It is informed that the original record has been submitted with the investigating agency.

Ld. counsel for appellant submits that the property is already demolished and he needs to take instructions from the appellant for pursuing the matter.

Accordingly, put up for further proceedings on **23.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 474/25 & 475/25

22.07.2025

Present : Sh. Vineet Chadha, Ld counsel for the appellant joined through VC.

Ms. Vasu Singh, Ld counsel for the respondent joined through VC with Mr. Abhaya Chaturvedi, AE(B), Mr. Aditya Shanker Pandey, JE(B) and Mr. Keshav Krishan, JLO.

Ld. counsel for MCD takes a preliminary objection in respect of limitation period.

Status report is filed by the MCD, copy be kept on record.

Ld. counsel for appellant submits that they will collect the copy of the status report during the course of day. Copy be supplied against acknowledgment.

Ld. counsel for MCD submits that they will file MCD record in the Registry during the course of the day.

Ld. counsel for appellant seeks some time to inspect the record before addressing the arguments in the matter.

Put up for arguments on interim application as well as appeal on **09.10.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

Misc. No.21/25 (M) in petition No.06/ATMCD/SCM/2013 (IA No.2086 of 20077 in W.P.(C) No.4677/1985.)

22.07.2025

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

File taken up today as the appellant has filed an affidavit in compliance of the directions issued in para-16 of judgment dated 14.07.2025. The affidavit is found satisfactory and is taken on record.

MCD is directed to comply the directions given in judgment dated 14.07.2025 in time bound manner as directed in para-15 of judgement.

Copy of the order be given dasti.

File be consigned to record room.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 22/25 (M)

22.07.2025

Present : Sh. Amit Vashisht, Ld counsel for the intervener.

File is taken up today an application moved by intervener Ms. Anita Vashisht seeking certified copy of the record of present case.

Application for impleadment moved by the intervener was dismissed by the Tribunal on 11.01.2017.

In view of the said order the intervener is a stranger to the proceedings. The Registry is directed to file report clarifying the position as per Delhi Municipal Corporation Appellate Tribunal (Procedure) Rules, 1986 in respect of entitlement of the stranger to the litigation for obtaining the certified copies of record.

Put up for consideration on the aforesaid application on 27.08.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 203/18 & 76/20

22.07.2025

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

Part arguments heard.

Arguments could not be concluded today as in post lunch session in appeal no. 481/22 is already scheduled for hearing.

Matter be relisted for the arguments on the point of appeal on 23.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025

A.No. 390/19

22.07.2025

Present : Sh. Gaurav, Ld counsel for the appellant joined through VC.
Sh. R.K. Kashyap, Ld counsel for the respondent through VC.

Part arguments heard.

Ld. counsel for the appellant seeks an adjournment to take instructions in the matter.

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

Put up for purpose fixed on 16.12.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (B)

A.No. 425/19 & 426/19

22.07.2025

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

Ld. counsel for the MCD submits that he is travelling out of station and not in a position to appear before Tribunal. He seeks some time to file status report.

Accordingly put up for further arguments on pending interim application and appeal on 11.11.2025

Interim orders to continue till the next date of hearing in appeal no. 426/19.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (B)

A.No. 78/22, 91/22, 106/22, 107/22, 108/22, 109/22, 110/22, 111/22,
112/22, 113/22, 114/22, 115/22, 116/22, 117/22, 118/22, 119/22,
120/22, 130/22, 135/22, 136/22 & 137/22

22.07.2025

Present : Sh. Ravi Kapoor and Ms. Aditi Singhal, Ld counsel for the appellants in appeal Nos. 78/22, 106/22, 107/22, 108/22, 109/22, 110/22, 112/22, 113/22, 114/22, 115/22, 116/22, 117/22, 118/22, 119/22, 120/22, 78/22.
Ms. Bandana Kaur Grover, Ld. counsel for appellants joined through VC in appeal No. 135/22, 136/22 & 137/22.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Rajas Sharma, Ld. counsel for appellant in appeal No. 111/22.
None for appellant in appeal No. 91/22.
Sh. Ashutosh Gupta, Ld counsel for the respondent with Sh. A.L. Agnihotri, Ld. counsel for MCD in appeal No. 109/22.
Ms. Anjali Jaitley, intervener in person joined through VC in appeal No. 78/22.

1. Part arguments heard. Ld. counsel for both the parties seeks some time to file written submissions.
2. Ld. counsel for MCD informs that the issue in respect of misuse of the properties for commercial purposes is also pending before the Hon'ble Supreme Court of India. He seeks some time to take instructions for placing on record the orders/ directions passed by the Hon'ble Supreme Court of India. He request for a short hearing in the matter to take instructions from the department and apprise the position. He request that the as the matter is part heard interim order be

continued only subject to the directions which have been issued by the Hon'ble Supreme Court of India.

3. MCD is directed to file a detailed status report on next date of hearing apprising about the orders/ directions passed by the Hon'ble Supreme Court of India.
4. The Executive Engineer (B) concerned as well as Senior Officer from Law Department, MCD shall also appear on next date of hearing to assist the Tribunal.
5. At joint request of the parties, put up for further arguments on the point of appeal on **25.08.2025 at 2.30 p.m.**
6. It is clarified that Interim protection granted by Ld. Predecessor to continue till the next date of hearing subject to directions issued by the Hon'ble Supreme Court of India.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 481/22

22.07.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal , Ld counsel for the respondent with
Mr. D.R. Meena, AE(B) and Mr. Susham Jain, the then
JE(B).
Sh. Yogender Tripathi, Ld. counsel for intervener.

Objections are filed on behalf of Mr. Rakesh Kumar,
Intervener, copy supplied to appellant as well as MCD.

An application seeking exemption from personal hearing
of Dy. Commissioner is filed. In view of the exigencies
cited in the application, the same is allowed. Dy.
Commissioner is directed to appear on next date of
hearing through Video conferencing.

Status report is filed by the MCD, copy supplied.

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

Put up for consideration of the status report as well as
purpose already fixed on **22.09.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 342/23

22.07.2025

Present : Sh. Kapil Yadav, Sh. Rohit Kuma, Sh. Akash Seth & Ms. Sunita Goswami, Ld counsel for the appellant along with appellant no. 2.
Sh. Sanjay Sethi, Ld counsel for the respondent.

The AE(B) is not present today. Notice be issued to AE(B) through concerned Dy. Commission, MCD with the directions to appear before this Tribunal on next date of hearing.

Accordingly, put up for further arguments on the point of appeal on 22.09.2025.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 324/24, 439/24 & 189/24

22.07.2025

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

Ld counsel for MCD submits that the inspection is already carried out in terms of previous orders. He seeks sometime to file status report. Opportunity granted.

Put up for purpose fixed on 12.11.2025.

Interim orders to continue till the next date of hearing in appeal no. 189/24.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (V)

A.No. 235/24 & 474/24

22.07.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in
appeal no. 474/24.
Sh. Pritish Sabbarwal, Ld counsel for the respondent in
appeal no. 235/24 joined through VC.

Ld. counsel for the appellant submits that their
regularization application is pending with the MCD.

Ld. counsel for the MCD submits that as per the
instructions received from the concerned AE(B), the
regularization application is already rejected and they will
file status report on the next date of hearing.

Put up for filing status report, interim application and
appeal on 26.11.2025.

Interim orders to continue till the next date of hearing in
appeal no. 235/24.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (B)

A.No. 536/24

22.07.2025

Present : Sh. V.K. Bajaj, Ld counsel for the appellant joined through VC.

Sh. R.K. Jain, Ld counsel for the respondent.

Ld. counsel for appellant seeks some time to inspect the record before addressing the arguments in the matter.

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

Put up for purpose fixed on **21.11.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 934/24

22.07.2025

Present : Sh. Anuj Kumar, Ld counsel for the appellant joined through VC with Mr. Sachin, Advocate present in the Tribunal.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

1. An application under Order VII Rule 14 CPC is moved by the appellant. Ld. counsel for appellant submits that they were not able to file the documents earlier as they were not in possession of record and have arranged it from previous owner.
2. Ld. counsel for appellant submits that they intend to place on record the agreement of the year 2006, legal notice of the year 2006 as well as MCD tax assessment report to show that the property is covered within the scope of National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act.
3. Ld. counsel for MCD submits that they do not intend to file reply and without prejudice to their rights and contentions they have no objection in case the additional documents are taken on record at this juncture.

4. Arguments heard. Record perused. The documents filed by the appellant goes to the root of the matter and necessary to be considered for deciding the question of protection which may be available to the property in question under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act.
5. Accordingly, application is allowed and the additional documents are taken on record.

Put up for arguments on pending interim application as well as appeal on **17.12.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 63/25

22.07.2025

Present : Sh. Yogender Singh, Ld counsel for the appellant
alongwith appellant No.1 in person.
Sh. Ashutosh Gupta proxy counsel for Ms. Bhavya
Chauhan, Ld counsel for the respondent.

An adjournment is sought on behalf of the MCD as main
counsel Ms. Bhavya Chauhan is un-available today being
busy in Dwarka 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 **17.10.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 113/25

22.07.2025

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

Ld. counsel for MCD seeks some time to file reply to the application seeking additional documents/photographs. Advance copy be supplied to the appellant.

Part arguments heard.

Ld. counsel for appellant seeks some time to take instructions in respect of demolition order dated 07.10.2022 passed by the MCD before addressing further arguments in the matter.

Put up for reply and arguments on aforesaid application, pending interim application and appeal on **12.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 264/25

22.07.2025

Present : Sh. Manmeet Singh Maini, Ld counsel for the appellant.
Ms. Jasleen Kaur, Ld counsel for the respondent No.1
MCD joined through VC.
Sh. Ashok Kumar, Ld. counsel for respondent No.2.

Reply to the appeal is filed by respondent No.3, copy supplied to the appellant as well as MCD.

Ld. counsel for MCD request for short hearing as their undertaking is continuing in the matter.

At joint request of the parties matter be listed for arguments on interim application as well as appeal on **04.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (J)

A.No. 267/25

22.07.2025

Present : Sh. Vaibhav Sethi and Abul Hasan Khan, Ld counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent joined through VC.

1. Status report is filed by the MCD. Copy supplied.
2. In the status report it is clarified that the demolition action has been taken against the property in question on 26.04.2025 & 29.04.2025.
3. Ld. counsel for the MCD submits that the demolition action has been carried out in compliance of the directions passed by the Hon'ble High Court of Delhi in respect of the Sainik Farms and no specific demolition order has been passed in the present case.
4. Ld. counsel for the MCD submits that they have carried out massive demolition action in the property and same is made inhabitable. He submits that they will file photographs of the demolition action on next date of hearing and will ensure the property is not used for residential or any other purpose as the same is unauthorized and without sanctioned building plan and completion certificate. He also clarifies that the submissions made by the AE (B) concerned in his

report regarding the jurisdiction of the Tribunal is inadvertent and MCD is not disputing the jurisdiction of the Tribunal.

Ld. counsel for the appellant seeks some time to take instructions in respect of the status report before making further submissions.

The Executive Engineer and AE(B) shall appear on next date of hearing.

Put up for consideration on the aforesaid status report and arguments on appeal on **04.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.07.2025 (B)

A.No. 180/23

22.07.2025

Present : Sh. Dalip Rastogi, 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), 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
22.07.2025

A.No. 181/23

22.07.2025

Present : Sh. Dalip Rastogi, 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), 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
22.07.2025