

A.No. 541/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Chirag Anand, 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.

Put up for arguments on interim application(s) and appeal on **16.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 542/25, 543/25 & 544/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Sunil Chauhan, 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.

Put up for arguments on interim application(s) and appeal on **27.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 546/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Subhash Kambaj, Ld. counsel for the appellant.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on **11.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 547/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Shiv Kumar Gautam, Ld. counsel for the appellant along with appellant in person.

Ld counsel for the appellant submits that by order dated 09.07.2025 in WP(C) 9471/2025 the protection has been granted for a period of four weeks which will lapse on 08.08.2025. He request that short hearing be given and the matter be listed prior to that date.

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 **08.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 548/25
05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Dalip Rastogi, 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 appellant presses the interim application seeking ex-parte stay. He submits that in appeal No.598/24 vide judgment dated 23.04.2025 this Tribunal remanded back the matter to the MCD with the directions to consider the documentary evidence including legal notices and also directed that the period when the structure came up in picture and the covered area shall also be evaluated and specified. He submits that despite categorical directions issued by this Tribunal in the said matter, the impugned order dated 28.07.2025 does not appreciate and discuss about said legal notices. He submits that MCD has not made any efforts to comply the mandate of the said judgment. He submits that covered area in the property and the period when structure came into picture is also nowhere deliberated in the impugned order and the

same is passed ignoring the directions contained in judgment dated 23.04.2025.

4. I have heard the arguments and perused the record. A perusal of the impugned order dated 28.07.2025 shows that all the documentary evidence relied upon by the appellant is not considered and the compliance vacuum regarding observations made by this Tribunal in the judgment dated 23.04.2025 are required to be appreciated on merits.
5. In view of the above 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 **18.09.2025**.

Copy of the order be sent to the AE(B) for information and compliance.

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 550/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Yogesh Chhabra, Ld. counsel for the appellant along with appellant in person.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Ld. counsel for the appellant request for a short hearing as they are apprehending demolition action.

Put up for arguments on interim application(s) and appeal on **08.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 549/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Yogesh Chhabra, Ld. counsel for the appellant along with appellant in person.

Issue notice of interim application(s) as well as appeal to the respondent through concerned Chief Law officer.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Ld. counsel for the appellant request for a short hearing as they are apprehending demolition action.

Put up for arguments on interim application(s) and appeal on **08.08.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 556/25
05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Dalip Rastogi, 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 the interim application seeking stay in respect of first & second floor of the property in question (adjoining property no. 8).
4. It is submitted that Ld counsel for appellant that they did not received show cause notice and opportunity of hearing was not provided by the MCD and order was passed in violation under Section 343 of DMC Act, 1957.
5. He submits that the property in question is having sanctioned building plan. He submits that the second floor was purchased by the appellant vide sale deed dated 01.07.2005 which clearly mention the details of the rooms of the structure which existed in the property in question at (Page-77).
6. He submits that electricity bills of property prior to cut off date are also placed on record. He submits that

impugned order do not mention the details of the alleged deviation / excess coverage and its measurement and passed in violation of mandate given by the Hon'ble High Court of Delhi ***in case titled "Masonic Club Vs MCD & Ors, C.W.P. No. 6674 / 2000.***

7. I have heard the arguments and perused the record. It is the case of the appellant that impugned order was passed without providing opportunity of hearing. Perusal of the impugned order prima-facie shows that the detail of the alleged deviation / excess coverage as well as its measurement is not mentioned in the order.
8. The impugned order also do not clarify the compoundable and non-compoundable deviations as per mandate of the Hon'ble Supreme Court of India in the case of Re. Directions in the matter of Demolition of structure WP (C) 295/2022 vide judgment dated 13.11.2024. It is the case of the appellant that the structure is old & protected and supporting documentary evidence is filed on record.
9. In view of the aforesaid facts and circumstances status quo be maintained in respect of the first & second floor of the property in question till next date of hearing.
10. 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.

11. It is also directed that the appellant shall not carry out any impossible 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 **18.09.2025**.

Copy of the order be sent to the AE(B) for information and compliance.

Copy of orders be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 318/22 & 357/22
05.08.2025

File is taken up today on an application under Section 151 CPC seeking permission to withdraw the appeal.

Present : Sh. Dalip Rastogi, Ld counsel for the appellant alongwith appellant No.12 in person.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent joined through VC with Mr. Navdeep JE(B) present in the Tribunal.

1. It is submitted by Ld. counsel for the appellants that they have removed the non-compoundable deviations and MCD has already regularized the property in question and appeal has become infructuous.
2. Ld. counsel for MCD appeared on advance notice and has filed a status report confirming the regularization of the property in question by their order dated 04.08.2025.
3. Ld. counsel for MCD submits that in view of the regularization of the property, the impugned order stands satisfied and they have no objection if the appeal is disposed off.
4. Accordingly in view of the aforesaid circumstances, appeal is dismissed as withdrawn. Property be desealed.

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
05.08.2025 (J)

A.No. 693/24

05.08.2025

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

Ld counsel for MCD that they are in process for taking instructions from the department. It is informed that next date of hearing before Ld Principle & District Sessions Judge, New Delhi is fixed for 27.09.2025.

Accordingly, put up for further proceedings on **15.10.2025.**

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 819/24

05.08.2025

Present : Sh. Sukhinder Bir Singh, Ld. counsel for the appellant.
Sh. Ashutosh Gupta, Ld. counsel for the respondent.

1. File is taken up on an application under Order XI Rule 1 & 2 read with Section 151 of CPC is moved by intervener Sh. Sukhinder Bir Singh.
2. Ld. counsel for the appellant as well as MCD seeks some time to file their reply. It is pointed out that by order dated 22.07.2025 in CM (M) 3667/2024 the Hon'ble High Court of Delhi has directed the Tribunal to apprise about the present status of appeal no. 819/24.
3. Perusal of record shows that the present appeal was filed on 19.09.2024 impugning the order dated 02.09.2024 by which the regularization application was rejected. Appeal was listed for first time on 20.09.2024. Notice of the appeal issued to MCD with the directions to file their reply as well as record.
4. On 24.09.2024 the Tribunal partly heard the arguments on interim application. The hearing was deferred as the record of previous appeal bearing no. 754/23 against rejection of regularization (order on 30.10.2023) was required to be perused for adjudicating the matter.
5. On 01.10.2024 the application under Order 1 Rule 10 CPC moved by the intervener Sh. Sukhinder Bir

Singh was disposed off and the arguments of the parties could not be concluded as the undersigned had to attend the meeting called by the Hon'ble e-Committee, Supreme Court of India.

6. On next date i.e. 22.11.2024 it was informed that the appellant has filed an appeal no. 4/24 before the court of Ld. Principle District & Session Judge, North West which was decided by judgment dated 09.10.2024 and relief of injunction was declined. It was informed that against the said order the appellant has sought redressal of his grievances by filling of CM (M) 3667/2024 before Hon'ble High Court of Delhi.
7. On 22.11.2024 Ld. counsel for MCD stated that in view of pending proceeding before the Hon'ble High Court of Delhi he needs to take instructions before addressing the arguments.
8. Ld. counsel for appellant also stated that they will also clarify whether there is embargo on this Tribunal to hear interim application and appeal in view of proceeding pending before Hon'ble High Court of Delhi.
9. On 14.01.2025 Ld counsel for appellant informed that they have already moved application before Hon'ble High Court of Delhi seeking necessary clarifications. Thereafter on 25.02.2025 Ld. counsel for appellant again informed that the said application is pending before Hon'ble High Court of Delhi and listed for hearing on 16.07.2025. On 24.07.2025 also Ld

counsel for appellant informed that the said application is listed before Hon'ble High Court of Delhi for hearing on 17.11.2025 and the matter was deferred for further proceedings on 24.09.2025.

10. The matter is at the stage of arguments on appeal and the Tribunal is awaiting the directions of Hon'ble High Court of Delhi in the matter.
11. In compliance of the directions issued by the Hon'ble High Court of Delhi the registry of this Tribunal is directed to send status report to the worthy Registrar General, Hon'ble High Court of Delhi informing about the status of the present appeal no. 819/24. Copy of this order be also annexed.
12. Put up for reply on aforesaid application and further proceedings on date already fixed on **24.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 301/25

05.08.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Simran Singh & Sh. M.P. Singh, Ld counsel for the appellant along with appellant in person.

Ld. counsel for the appellant submits that appellant is one of the stakeholders in the property / plot in question and the impugned sanctioned plan has been passed by the MCD without considering the stakes of 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 purpose fixed on **19.09.2025**

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 305/25

05.08.2025

Present : Sh. Rakesh K. Shukla, Ld counsel for the appellant.

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

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

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

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 326/25

05.08.2025

The file is taken up today on an application under Section 151 CPC moved by the appellant seeking early hearing in the matter.

Present : Sh. Ajay Arora, Ld. Senior counsel alongwith Sh. Dalip Rastogi, Ld counsel for the appellant, Sh. Arush Kapoor, Advocate, Sh. Nitish Budey, Advocate , Sh. Sidharth Parashar and Sh Palav Arora, Advocate.
Sh. Avishek Kumar, Ld counsel for the respondent alongwith Sh. Satish Gautam, AE(B) and Ms. Sarita Gaur, ALO.

1. Ld. counsel for appellant submits that appellant is 91 years old person and due to heavy rain fall the property which is partly constructed is in bad shape and urgent directions are required. He submits that the matter was listed for 29.07.2025 but he could not appear on last date of hearing due to some personal exigencies and the matter was adjourned.
2. MCD has appeared on advance notice and submits that they have no objection if the matter is heard today.
3. Ld. counsel for appellant as well as MCD confirms that by order dated 30.05.2025 passed by the Hon'ble High Court of Delhi in W.P.(C) 7343/2025 and C.M. application 35635/2025, the Hon'ble High Court has clarified that the Tribunal is at liberty to decide the

appeal on its own merits without being influenced by the pendency of the writ petition. Relevant extract of the order is re-produced below:

“....4. Considering the submissions made before this Court, it is clarified that the learned ATMCD shall be at liberty to consider and decide the appeals filed on behalf of respondent No.2 herein, before the said authority, on its own merits, without being influenced by the pendency of the present writ petition.
5. With aforesaid clarification, the present application is disposed of.”

4. Ld. counsel for appellant submits that the appellant started the construction of the property after obtaining the sanctioned building plan dated 08.07.2022 which was later on revoked by order dated 28.03.2025. He submits that thereafter appellant applied for regularization of the property and the regularization was rejected by impugned order dated 13.05.2025. He submits that the MCD has rejected regularization on the ground of sub-division of the plot. He submits that while passing the impugned order dated 13.05.2025, MCD did not consider the mandate given by the Hon'ble Supreme Court of India in case of Sharda Nath Vs Delhi Administration & Ors, Civil Appeal No(s) 1161/2009 dated 17.10.2019, Smt. Veena Gupta and Anr Vs South Delhi Municipal Corporation and Ors W.P.(C) 2663/2013 decided by Hon'ble High Court of Delhi on 14.07.2016. He

submits that as per the aforesaid judgments and clause 4.4.3 (iv) MPD-2021, more than one buildings in one residential plot are permitted subject to proportionate and maximum ground coverage. He submits that this fact is highlighted by the Hon'ble High Court of Delhi in New Delhi Municipal Council Vs Kanwal Sibal & Ors (LPA 543/2015).

5. Ld. counsel for MCD as well as Ms. Sarita Gaur, ALO submits that in respect of the aforesaid legal position cited by Ld. Senior counsel for appellant, the MCD has no objection to consider the fresh application for regularization (if any) moved by the appellant as per extant law.
6. Ld. Senior counsel for appellant submits that in view of the assurance given by the MCD to consider the fresh application for regularization the challenge to impugned order dated 13.05.2025 has become *non-est* and he has instructions to withdraw the present appeal and they will avail the remedy by moving fresh regularization application before the MCD. Separate statement of the Ld. counsel for appellant is recorded in this regard.
7. In view of the above facts and circumstances, the challenge to impugned order dated 13.05.2025 has become irrelevant as MCD has agreed to consider fresh application for regularization. In view statement of Ld. counsel for appellant the present appeal is dismissed as withdrawn. MCD is at liberty to consider the fresh regularization application moved by the

appellant in view of the mandate given by the Hon'ble Supreme Court of India as well as Hon'ble High Court of Delhi in the aforesaid judgments and as per the extant rules. Ld. counsel for appellant submits that they will file fresh application for regularization in two weeks from today and request for expeditious disposal. As the appellant is Senior Citizen aged 91 years, MCD is directed to decide the regularization application moved by the appellant expeditiously preferably within three months from date of filing of application.

Copy of the order be sent to AE(B) concerned for information and compliance.

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

File be consigned to record room.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 370/25
05.08.2025

The file is taken up today on an application under Section 151 CPC moved by the appellant seeking early hearing in the matter.

Present : Sh. Ajay Arora, Ld. Senior counsel alongwith Sh. Dalip Rastogi, Ld counsel for the appellant, Sh. Arush Kapoor, Advocate, Sh. Nitish Budey, Advocate , Sh. Sidharth Parashar and Sh Palav Arora, Advocate.
Sh. Avishek Kumar, Ld counsel for the respondent alongwith Sh. Satish Gautam, AE(B) and Ms. Sarita Gaur, ALO.

Part arguments heard. In appeal No.326/25, the matter has been dismissed as withdrawn subject to deliberation that appellant will move the fresh application seeking regularization of the property which will be preferably disposed of by the MCD within three months of filing the regularization application. As MCD has agreed to consider the regularization application on merits, therefore, it will be prudent to protect the subject matter of the appeal till next date of hearing.

Accordingly, status quo be maintained in respect of subject matter of the property till next date of hearing.

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.

Put up for arguments on interim application seeking stay and appeal on date already fixed i.e. **11.08.2025**.

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

Copy of the order be given dasti.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 377/25

05.08.2025

Present : Sh. Sanjeev, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

1. Status report is filed by the MCD, copy supplied.
2. An application under Section 151 CPC is filed by the appellant to place on record the additional documents, copy supplied.
3. Part arguments on interim application seeking stay heard. Ld. counsel for appellant submits that through the application under Section 151 CPC they are seeking to place on record the house tax returns of the property in question which goes to show that the property is covered within the ambit of protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act.
4. Ld. counsel for MCD seek some time to verify documents and seek instruction for filing the report in respect of those additional documents.
5. Before venturing to decide the interim application as well as appeal, it will be necessary to decide the fate of aforesaid application as the additional documents goes to root of matter.
6. In view of the above facts and circumstances, 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 Court 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.

The AE(B) and the then JE(B) are directed to remain present in person on the next date of hearing.

Put up for reply and arguments on aforesaid application, interim application seeking stay as well as appeal on **08.10.2025**.

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

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 397/25

05.08.2025

Present : Sh. Sukanya Hazarika, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

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

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

Ld counsel for the 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 matter.

Put up for further arguments on pending interim applications and appeal on 29.10.25025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 403/25

05.08.2025

Present : Sh. Naveen Kumar Sharma, Ld counsel for the appellant
alongwith appellant in person.

Sh. Advait Arora, Ld counsel for the respondent. Fresh
Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.
Appellant present in the Tribunal submits that he may be
permitted 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.

Appeal file be consigned to record room.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 409/25

05.08.2025

Present : Sh. Rambir Chauhan, Ld counsel for the appellant.
Sh. Naresh Sharma, Ld counsel for the respondent /
DDA.

Vakalatnama is filed by Sh. Naresh Sharma, Advocate on
behalf of DDA.

Ld counsel for the DDA seeks some time to file status
report as well as DDA record in this matter.

Put up for further arguments on pending interim
applications and appeal on 09.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 465/25
05.08.2025

Present : Sh. Charanjit Sharma, Ld counsel for the appellant.
Ms. Deepmala Kumari, Ld counsel for the appellant along with appellant in person.
Sh. Saurav Bhasin, Ld counsel for the DDA along with Sh. Sudhir (Kannongo) & Sh. Praveen Dwivedi, Dy. Director joined through VC.

Record has been filed by DDA. DDA seeks adjournment to file their status report.

Ld. counsel for the appellant presses for interim relief as they are apprehending demolition action.

Ld. counsel for the DDA opposed the request and submit that the application be heard on merits. However he submits that as the DDA is seeking adjournment in the matter, Sh. Praveen Dwivedi, Dy. Director, DDA instructed him that they will not take any coercive action till 01.09.2025 and the interim application and appeal be heard on merits on next date of hearing. Accordingly, in view of the submissions made by the parties, the early hearing application stands disposed off.

Put up for purpose already fixed on 01.09.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 490/25

05.08.2025

Present : Sh. Jatan Singh, Ld. Senior Advocate with Sh. Ayush Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent alongwith Sh. Manoj Kumar, AE(B).
Sh. Amar Nath, Ld. counsel for intervener Ms. Neena Dosi joined through VC.

An application under Order 1 Rule 10 CPC is filed by the Intervener in the Registry on 04.08.2025 which is listed for today. Copy be supplied to the MCD as well as appellant.

Ld. counsel for MCD seeks some time to file their status report and record.

Ld. counsel for appellant presses the interim application seeking stay in respect of structure at the third floor of the property in question.

Ld. counsel for the respondent submits that he needs to take instructions from the department before addressing further arguments in the matter.

Ld. counsel for the appellant submits that protection be granted till next date of hearing.

Ld. counsel for respondent opposes the said request. He submits that the interim application and appeal be decided on merits. However, on instructions from the department he assures that the respondent MCD will not carry out any demolition action against the third floor of

the property in question till next date of hearing. He request for a short adjournment in the matter and request that the matter be heard on next date of hearing and no adjournment shall be accommodated.

Ld. counsel for appellant submits that they will not take any further adjournment and argue the matter on next date of hearing.

At joint request of the parties, put up for further arguments on interim application seeking stay and appeal on **29.08.2025**.

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

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 37/15

05.08.2025

Present : Ms. Sarita Dixit, Ld counsel for the appellant from LAC.
Ms. Renu Soni, Nodal Officer on behalf of the respondent
/ MCD.

List of documents are filed by the appellant in registry of this Tribunal on 24.03.2025. Copy supplied to the MCD.

LAC Ms. Sarita Dixit submits that she 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 appellant to address arguments in the matter.

Put up for purpose fixed on 07.01.2026.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 229/17, 230/17, 231/17, 232/17, 373/23, 374/23, 375/23 & 376/23

05.08.2025

Present : Sh. Himanshu Gupta & Taimoor Ali, Ld counsel for the appellant along with Sh. Mahesh Kumar in person.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 229/17 & 230/17.
Ms. Kanta Chaudhary, Ld counsel for the respondent in appeal nos. 231/17 & 232/17.
Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD in appeal no. 373/23, 374/23, 375/23 & 376/23.

It is submitted that Advocate / Applicant Sh. Zaffar Abbas has come to the Court at morning but due to bad health he left the Court and no 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 up for purpose fixed on 07.01.2026.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 78/20

05.08.2025

Present : Sh. R.K. Sharma, Ld counsel for the appellant joined through VC along with Ms. Gita in person.
Sh. V.K. Aggarwal, Proxy counsel for the respondent.
Ms.

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 07.11.2025.

Interim orders to continue till next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 448/21

05.08.2025

Present : Sh. Gaurav Jain, Ld counsel for the appellant joined through VC.

Sh. Sanjay Sharma, Ld counsel for the NDMC along with Sh. Dharambir Singh, consultant, NDMC.

Ld counsel for the appellant informs that hearing before Hon'ble High Court of Delhi is fixed on 06.10.2025.

Accordingly, put up for purpose fixed on 05.12.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (B)

A.No. 22/22

05.08.2025

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

Nodal Officer Ms. Renu Soni informs that Sh. Sanjay Sethi, Ld counsel for the MCD is unavailable today due to personal exigency.

In the interest of justice, one more opportunity is granted to respondent 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
05.08.2025 (B)

A.No. 629/22

05.08.2025

Present : Sh. Kamaldeep, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on the point of appeal 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
05.08.2025 (V)

A.No. 228/23

05.08.2025

Present : Sh. Umang Tyagi, Ld counsel for the appellant joined through VC alongwith Sh. Hardik Saxena, Advocate present in Tribunal. Fresh Vakalatnama filed, same is taken on record.

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

Ld. counsel for appellant submits that he has been engaged in the matter recently and needs 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 **24.11.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 85/23 (M)

05.08.2025

Present : Sh. Bhupender, Proxy counsel for the appellant.
Sh. Virender Singh & Harshit Verma, Ld counsel for the applicant.
Ms. Renu Soni, Nodal Officer on behalf of the respondent / MCD.

An adjournment is sought on behalf of the respondent as main counsel Sh. Vijay Tyagi is un-available today due to personal exigency.

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

Put up for purpose fixed on 19.11.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (V)

A.No. 414/24

05.08.2025

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

Ld. counsel for MCD submits that they will file the status report in this matter during the course of the day and will supply copy to the Ld. counsel for appellant.

Put up for arguments on pending interim application as well as appeal on **11.09.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 565/24

05.08.2025

Present : Sh. Kuldeep Singh Grewal, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer on behalf of MCD.

Part arguments heard.

Put up for further arguments on pending interim application as well as appeal on **27.10.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 699/24

05.08.2025

Present : Sh. Pawan Singh Mahar and Sh. Atul Chaudhary, Ld
counsel for the appellant.

Sh. Madan Sagar, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on pending interim
application as well as appeal on **10.11.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 792/24

05.08.2025

Present : Sh. Naveen Sharma, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Harkrishan Das Nijhawan, Ld. counsel for intervener.

1. Status report is filed by the MCD clarifying that the property which was booked by the MCD in the present case bears property No.2105 (Part), Corner Plot, D.B. Gupta Road, Karol Bagh, Delhi. Copy of the layout plan of area is also filed alongwith status report highlighting the property which has been booked. Copy supplied.
2. An application under order 1 Rule 10 CPC is filed by the intervener is listed for today.
3. Ld. counsel for appellant submits that he was unwell and therefore could not prepare the reply and seeks an adjournment to file reply and address arguments. Ld. counsel for MCD as well as appellant seeks some time to file their replies to the said application. Advance copy be supplied to the intervener.
4. Ld. counsel for MCD request that a short hearing be given in the matter so that appeal can be heard on merits.
5. Accordingly, at joint request of the parties matter be listed for reply and arguments on application under

Order 1 Rule 10 CPC, pending interim application as well as appeal on **28.08.2025**.

Interim orders to continue till the next date of hearing.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 888/24, 889/24, 904/24, 906/24, 909/24, 910/24, 911/24 & 912/24

05.08.2025

Present : Sh. Atul Sharma, proxy counsel for the appellant in appeal Nos. 888/24, 889/24.

Sh. B.K. Wadhwa, Ld. counsel for appellant in appeal Nos. 904/24, 906/24, 909/24, 910/24, 911/24 & 912/24.

Sh. Rajesh Garg, appellant in person in appeal No.906/24.

Sh. Atul Tanwar, Ld counsel for the respondent 888/24, 889/24, 904/24, 906/24.

Ms. Jasleen Kaur, Ld. counsel for respondent in appeal Nos. 909/24 & 912/24.

Sh. Apoorv Sisodia, Ld. counsel for respondent in appeal No.910/24 & 911/24.

Part arguments heard.

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

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 935/24

05.08.2025

Present : Sh. Gaurav Jain, Ld counsel for the appellant joined through VC.

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

Sh. Sachin Bandooni, Ld. counsel for intervener.

Ld. counsel for appellant seeks some time to file reply of the application under Order 1 Rule 10 CPC. Advance copy be supplied to the intervener.

Put up for reply and arguments on application under Order 1 Rule 10 CPC as well as pending interim application and appeal on **20.11.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 1003/24

05.08.2025

Present : Sh. Kuldeep Singh Grewal, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An application under Order 11 Rule 14 read with Section 151 CPC alongwith list of additional documents is filed by the appellant, copy supplied to MCD.

Ld. counsel for MCD seeks some time to file reply of the aforesaid application.

Put up for reply and arguments on aforesaid application as wll arguments on appeal on pending interim application and appeal on **27.10.2025**.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 1042/24

05.08.2025

Present : Sh. Mandeep Singh, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on pending interim application and appeal on 17.10.2025.

(ABHILASH MALHOTRA)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
05.08.2025 (J)

A.No. 542/17 & 543/17

05.08.2025

Present : Sh. Amit Sethi, Ld counsel for the appellant.
Sh. Sanjay Sharma, Ld counsel for the respondent.

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

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
05.08.2025