

A.No. 748/25

11.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Shashwat Bhardwaj and Ms. Khushboo Gupta , Ld.
counsel for the appellant along with appellant.

Submissions heard. File perused.

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 **03.02.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 18.10.2024. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 750/25

11.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Om Prakash, Ld. counsel for the appellant.

Submissions heard. File perused.

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 **10.03.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

11.11.2025

A.No. 752/25

11.11.2025

Fresh appeal filed. Be checked and registered.

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

Submissions heard. File perused.

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 **24.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 17.10.2025. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 753/25

11.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Saman Vardhan Gautam, Ld. counsel for the
appellant.

Submissions heard. File perused.

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 **06.02.2026**.

Till next date of hearing, no coercive action be taken
against the property of appellant in pursuance of the
demolition order dated 09.07.2025. However, it is made
clear that no encroachment on the public land is
protected

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 754/25

11.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Dheeraj Vats, Ms. Khusboo Sharma and Ms. Vindu Puri, Ld. counsel for the appellant along with appellant along with appellant.

Sh. Manish Yadav, Nodal Officer for DDA.

Submissions heard. File perused.

No case for interim relief is made out as the appellant has not filed any documents to show her right, title or interest in the property.

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 **12.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 758/25
Sheetal Maan Vs. MCD

11.11.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Nikita Capoor, Ld. counsel for the appellant.

Submissions heard. File perused.

It is the grievance of the appellant that no opportunity of personal hearing was given to her after she gave her reply to the show cause notice dated 25.07.2025 nor the extent of deviations were provided to her. The demolition order dated 12.09.2025 shows that the reply submitted by the appellant was considered, but opportunity of personal hearing was not given to her. The extent of unauthorized construction is specifically mentioned in the show cause notice, but it is not possible for the appellant who is a resident of third floor to raise columns from ground to third floor without the owners of the lower floors raising or supporting the cause of the appellant to raise the columns till third floor.

In these facts, the demolition order dated 12.09.2025 is set aside with directions to the respondents to pass a speaking order after giving personal hearing to the appellant. The appellant shall appear before the Quasi

...contd. 2

Judicial Authority on 17.12.2025 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

Till conclusion of personal hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 12.09.2025.

The appeal stands disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 760/25

11.11.2025

Fresh appeal filed. Be checked and registered.
Present : Sh. Manish Raghav and Sh. Prakash Srivastava, Ld.
counsel for the appellant.

Submissions heard. File perused.

To the show cause notice dated 19.09.2025, the appellant gave his reply dated 08.10.2025. The reply was sought within 15 days, but the same was delayed by 4-5 days. The demolition order dated 14.10.2025 states that no reply was submitted to the show cause notice. The demolition order was passed after 6 days of submitting the reply. The respondent should have considered the reply filed by the appellant to the show cause notice which was slightly delayed.

In these facts, the demolition order dated 14.10.2025 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 08.10.2025 submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 09.12.2025 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The appeal stands disposed of.

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

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

11.11.2025

A.No. 577/25

11.11.2025

Present : Sh. R.P. Raikwar, Ld. counsel for the appellant through VC.

Submissions heard.

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 **06.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 04.03.2025. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 602/25, 603/25, 604/25, 605/25 & 606/25

11.11.2025

Present : Ms. Parul Agarwal, Ld counsel for the appellants.
Sh. Amit Minocha, Ld counsel for the intervener through VC.
Sh. Krishan Kumar, Ld. counsel for the intervener.

Ld. counsel for the intervener has already filed an application under Order I rule 10 CPC along with certain documents.

Submissions heard. File perused.

The demolition order dated 18.08.2025 in the aforesaid appeals has been challenged on the ground that it does not mention the name of the owner/occupiers of the property and does not specify the additions, alternation and deviations against sanctioned building plan of the DDA and is not sustainable.

Ld. counsel for the intervener has stated that hearings were given to the appellants in response to the show cause notice and a detailed order dated 21.07.2025 was passed revoking the regularization accorded to the appellants for the reasons that same was obtained by manipulating documents and misrepresentations of the facts.

....contd.2

Revocation of the regularization plan passed after giving hearing to the appellants does not mean that the demolition order shall be vague or non-speaking without providing the details of the so-called additions, alternations and deviations against the sanctioned building plan. The respondent MCD is required to specify all the details of additions, alternations and deviations existing in the property of the appellants to enable the appellants to give their reply and responses to those additions, alternations and deviations. The demolition order is therefore, not sustainable and same is set aside with directions to the respondent to pass a speaking order after giving opportunity of reply and personal hearing to the appellants and then specifying the details of additions, alternations and deviations.

The appellants shall appear before the Quasi Judicial Authority on 10.12.2025 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

Appeals stand disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 627/25

11.11.2025

Present : Sh. Gagan Kumar Singhal, Ld counsel for the appellant through VC.
Ms. Prerna, Ld. counsel for the appellant.

Submissions heard. File perused.

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 **24.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the sealing order dated 04.07.2025. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 639/25

11.11.2025

Present : Sh. Puneet Srivastava, Ld counsel for the appellant.

Submissions heard. File perused.

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 **18.03.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

11.11.2025

A.No. 643/25

11.11.2025

Present : None for the appellant.

None has appeared for the appellant despite repeated calls since morning.

No adverse order is being passed today.

Put up for further proceedings on **10.04.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

11.11.2025

A.No. 654/25

11.11.2025

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

File is taken up today on an application of early hearing filed on behalf of the appellant.

The next date of hearing in the matter is 25.02.2026. The appeal is of the year 2025. In view of the heavy pendency, no early hearing is possible.

Issue notice of interim application(s), of this application for early hearing 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 the date already fixed i.e. **25.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 767/14, 81/15, 1034/16 & 409/18

11.11.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 1034/16 and 409/18.
Sh. Dharavir Gupta, Ld counsel for the respondent in appeal no. 767/14.
Ms. Manjusha Jha, Ld. counsel for respondent in appeal no. 81/15.

It is stated on behalf of the Town Planning Department on the basis of a phone call received today from one Mr. Manish Rajpal, ATP, Town Planning Department that the application seeking rectification of the layout plan of the appellant shall take some more time.

Record shows that it was informed by the appellants on 14.02.2025 that such application has been filed and more than 10 months have passed since then, but no decision has been taken by the Town Planning Department till date.

Let the application be decided positively within 4 weeks from today as the delay in deciding that application is causing delay to disposal of these matters pending since last almost 10 years.

Put up for further proceedings on **11.12.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 826/16 & 269/17

11.11.2025

Present : Sh. Jatin, Ld counsel for the appellant through VC.
Clerk for Sh. Pradeep Kumar, counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent in
appeal no. 269/17

Ld. counsel for the appellant Sh. Jatin appearing through
VC seeks permissions to withdraw his vakalatnama as
the appellant has engaged a new counsel.

Since, new counsel has been engaged, the previous
counsel is discharge from the vakalatnama.

On request of the clerk of the new counsel, the matter is
passed over.

Put up at 2.00 pm.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

11.11.2025

At 2.30 pm

Present : None for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent in
appeal no. 269/17
None has appeared for the appellant despite calls after
seeking pass over. Matter pertains to the year 2016 and
2017.

....contd.2

Adjournment was sought by the newly engaged counsel on the last date on the ground that he has been recently engaged. Almost 6 months have passed since then. In the interest of justice, subject to cost of Rs. 5,000/- in each appeal, to be deposited with Registry, last and final opportunity is given to the appellant for arguments on next date of hearing.

Put up for arguments on **24.12.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 425/19 & 426/19

11.11.2025

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

Status report is filed by the MCD in appeal no. 426/19 along with copy of the letter dated 10.11.2025 stated to be sent to the appellant yesterday only. Copy supplied.

In this letter of 10.11.2025, there is nothing to be complied by the appellants, yet they have been asked to submit requisite documents and carry out compliances and visit the office of the respondent after 2.00 pm on any working day.

After the change of the policy as per circular dated 17.09.2025, nothing is to be complied by the appellants and it appears that the respondent is just shying away from deciding the application for regularization. The respondent is directed to decide the application within a week from today, failing which let the concerned Dy. Commissioner be present in the court for explanation on the next date of hearing.

Put up for arguments on **24.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 614/19 & 615/19

11.11.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent in
appeal no. 615/19.
Ms. Manjush Jha, Ld. counsel for the respondent in
appeal no. 614/19.

Arguments heard.

Detailed affidavit in support of application seeking
condonation of delay filed in both the appeals as directed
on 23.02.2024. Copy supplied.

Vide separate order, the applications seeking
condonation of delay in filing the aforesaid appeals are
allowed subject to cost of Rs. 3,000/- each to be
deposited with Registry.

Vide separate judgment of even date, the aforesaid
appeals stand disposed of 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 633/19 & 200/24

11.11.2025

Present : Sh. Mehul Gupta, Ld Proxy counsel for the appellant.
Sh. Dharamvir Gupta, Ld. counsel for the respondent in
appeal no. 633/19.
Ms. Promila Rai, Ld. Proxy counsel for the respondent in
appeal no. 200/24.

An adjournment is sought on behalf of the appellant as main counsel is un-available today in the Hon'ble High Court.

Record shows that counsel Sh. Vijay Kumar Gupta last appeared in this court on 16.05.2024 and on the last date, he was held up before the Hon'ble Supreme Court of India and prior to that he was out of station.

The counsel being busy in some other court is not a valid reason to seek adjournment.

One of the appeals is of year 2019 which was in between dismissed in default.

In the interest of justice, one last and final opportunity is given to the appellant subject to cost of Rs. 5,000/- each in both the appeals to be deposited with Registry of this Tribunal.

Put up for arguments on **23.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 413/20

11.11.2025

Present : Sh. Sparsh Goel, Ld Associate counsels for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

It is stated by Ld counsel for the appellant that certified copy has not yet been provided. The registry has informed that appointment letter of LAC has not yet been filed.

Let the authority letter be filed within a week and thereafter, certified copy be issued.

Put up for arguments on **14.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 326/21

11.11.2025

Present : None for the appellant.
Sh. Parmesh Bali, 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

At 2.25 pm

Present : None for the appellant.
Sh. Gagan Garg, Ld. proxy counsel for Sh. Parvesh Bali, 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. Even on the last date of hearing, none has appeared for the appellant.
It is 2.25 pm.
The present appeal is dismissed in default.
Record of the respondent if any be returned alongwith copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD/11.11.25

A.No. 48/23

11.11.2025

Present : Appellant in person.
Sh. Kunal Kalra, Ld. counsel for the appellant through
VC.
Sh. Mohit Sharma, Ld. Proxy counsel for the respondent.

An adjournment is sought on behalf of the counsel for the respondent that father of the main counsel has passed away on 30.10.2025.

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 **19.12.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 600/23 & 32/24 & 333/24

11.11.2025

Present : Sh. Chirag Anand, Ld. counsel for the appellant in appeal no. 600/23 and 333/24.
Sh. Ravi Ranjan, Ld. counsel for the respondent in appeal no. 600/23.
Sh. Sagar Hajelay, Ld counsel for the appellant in appeal no. 32/24.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 32/24.
Sh. Pranjal Sharma, Id. counsel for the respondent in appeal no. 333/24.

MCD had submitted the record of the regularization application on the last date of hearing.

Ld. counsel for the appellant in appeal no. 32/24 seeks copy of the record. Let he be inspect the file.

At request, put up for arguments on the appeals on **19.03.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 679/23 & 680/23 & 340/25

11.11.2025

Present : Sh. Yashpreet Singh, Ld. Proxy counsel for the appellant.
Ms. Praveen Sharma, Ld. counsel for the respondent in appeals no. 679/23 & 680/23
Sh. Ashutosh Gupta, Ld counsel for the respondent in other appeal no. 340/25.
Sh. Anshuman Chaudhary, Intervener through VC.

Site plan filed by the MCD in appeal no. 679/23.

Pass over sought on behalf of the appellant, which is not possible due to heavy cause list.

Intervener who has not yet become a respondent has filed an application for vacation of interim protection dated 25.10.2023 claiming that unauthorized construction is still being raised by the appellant.

MCD is directed to verify and also to file the photographs and if unauthorized construction is still going on in the property, MCD is at liberty to take action against the fresh unauthorized construction as per law.

Otherwise, interim orders, if any, to continue till the next date of hearing.

Put up for arguments on the aforesaid appeals on **15.04.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 299/24, 300/24, 615/24, 616/24, 617/24, 618/24, 619/24, 620/24,
621/24, 633/24, 634/24, 635/24, 636/24, 637/24 & 646/24
11.11.2025

Present : Sh. Vedpal Rana and Sh. Dalip Rastogi, Ld counsels for
the appellants.
Sh. Ashutosh Gupta, Ld counsel for the respondent in
appeals no. 615/24, 616/24, 617/24, 618/24, 620/24,
621/24, 633/24, 634/24, 636/24, 637/24 & 646/24.
Sh. V.K. Aggarwal, Ld. counsel for the respondent in
appeal no. 619/24 and 635/24.
Sh. Chetan Hasija, Ld. counsel for the respondent in
appeal no. 299/24.
None for the respondent in appeal no. 300/24.

Part arguments heard.

At request, put up for further arguments on **09.04.2026**.

Interim orders, if any, to continue till the next date of
hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 700/24 & 701/24

11.11.2025

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

Ld. counsel for the intervener has filed an application
under Order I rule 10 CPC.

Arguments heard at length.

Put up for orders on **26.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 931/24

11.11.2025

Present : Ms. Lavee Tyagi, , Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Arguments heard on the application seeking condonation of delay of about 2 weeks in filing the appeal.

With an endeavour to decide the case on merit, the delay is condoned. The application seeking condonation of delay stands disposed of.

At request, put up for arguments on the main appeal on **07.04.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 1002/24

11.11.2025

Present : None for the appellant.
Sh. V.K. Aggarwal, 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

At 2.35 pm

Present : None for the appellant.
Sh. V.K. Aggarwal, 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. It is already 2.35 pm.
It appears that the appellant is not interested in pursuing this appeal.
The present appeal is dismissed in default.
Record of the respondent if any be returned alongwith copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 423/25

11.11.2025

Present : Ms. Sushmita Chaudhary, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The aforesaid appeal is against the vacation notice dated 26.05.2025, which is not appealable before this Tribunal. The appeal is dismissed with liberty to challenge the demolition/ sealing order as per law.

Appeal stands disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 311/21

11.11.2025

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

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

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

(AMIT KUMAR)
District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 302/22 & 321/21

11.11.2025

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent through
VC.

Vide separate judgment of even date, the aforesaid
appeals are dismissed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 322/21

Smt. Sudha Bhatia Vs. MCD

11.11.2025

Present : Sh. Sanam Malhotra, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent.

1. Vide this order I will dispose of the present appeal challenging the demolition order dated 19.02.2016 passed in respect of shop no. 741, Old Lajpat Rai Market, Chandni Chowk, Delhi. The order has been challenged on the ground that no show cause notice was served upon the appellant nor proper opportunity of personal hearing was given.
2. Ld. counsel for the respondent on the other hand argued that notice was duly served by pasting which is proper service and the appellant choose not to give any reply and therefore the demolition order was passed.
3. The office record shows that FIR in this case was issued on 12.02.2016 and the show cause notice was issued on the same day and the JE (B) went to the site and found it locked and requested to serve by pasting. If the unauthorized construction was found being raised on 12.02.2016, how the premises was found locked on the same day. Further, no witness was found at the time of pasting of the notice. Thereafter the demolition order was issued on 19.02.2016 and the premises were found locked on 19.02.2016 and thereafter on 22.02.2016 and it was again pasted being

locked. Thereafter, demolition could not be carried out due to shortage of time since 03.10.2016. For almost five years till filing this appeal, the respondent failed to take any action after demolition order dated 19.02.2016. From the record it is apparent that show cause notice dated 12.02.2016 as well as demolition order dated 19.02.2016 was never served upon the appellant and he was not given any opportunity of being heard.

4. In facts the Appeal is allowed and the demolition order dated 19.02.2016 is set aside with directions to the respondent to give opportunity to the appellant to file reply and personal hearing and thereafter pass speaking order within six weeks of conclusion of the proceedings. The appellant shall appear before the Quasi Judicial Authority on 15.12.2025 at 02.00 PM.
5. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

**Announced in the Open Court
Today i.e. on 11.11.2025**

**(AMIT KUMAR)
District Judge-cum-P.O.
Appellate Tribunal : MCD Delhi**

A.No. 323/21

(Sh. Ashok Malhotra Vs. MCD)

11.11.2025

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

1) Vide this order I will dispose of the present appeal challenging the demolition order dated 24.08.2015 passed in respect of shop no. 13, Old Lajpat Rai Market, Chandni Chowk, Delhi. The order has been challenged on the ground that no show cause notice was served upon the appellant nor proper opportunity of personal hearing was given.

2) Ld. counsel for the respondent on the other hand argued that notice was duly served by pasting which is proper service and the appellant choose not to give any reply and therefore the demolition order was passed. Reliance has been placed on the following judgment :

- i) Paramjit Kaur Vs MCD 1994(56) DLT 720.
- ii) Hari Datt Vashist Vs. MCD 1978 RLR 95(N).
- iii) Usha Devi Sharma Vs. MCD 2020(271) DLT 76

3) The office record shows that FIR in this case was issued on 17.08.2015 and the show cause notice was

....Contd.2

: 2 :

issued on the same day and the JE (B) went to the site and found it locked and requested to serve by pasting. If the unauthorized construction was found being raised on 17.08.2015, how the premises was found locked on the same day. Further, no witness was found at the time of pasting of the notice. Thereafter the demolition order was issued on 24.08.2015 and the premise was found locked on 24.08.2015 and thereafter on 25.08.2015 and it was again pasted being locked. Thereafter, demolition could not be carried out due to shortage of time since 04.07.2016. For almost five years till filing this appeal, the respondent failed to take any action after demolition order dated 24.08.2015. From the record it is apparent that show cause notice dated 17.08.2015 as well as demolition order dated 24.08.2015 was never served upon the appellant and he was not given any opportunity of being heard.

- 4) In facts the Appeal is allowed and the demolition order dated 24.08.2015 is set aside with directions to the respondent to give opportunity to the appellant to file reply and personal hearing and thereafter pass speaking order within six weeks of conclusion of the proceedings. The appellant shall appear before the

... Contd. 3

: 3 :

Quasi Judicial Authority on 11.12.2025 at 02.00 PM.

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

**Announced in the Open Court
Today i.e. on 11.11.2025**

**(AMIT KUMAR)
District Judge-cum-P.O.
Appellate Tribunal : MCD Delhi**

A.No. 328/21

11.11.2025

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

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025

A.No. 218/22 & 219/22

11.11.2025

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

Vide separate judgment of even date, the aforesaid appeals are dismissed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
11.11.2025