

A.No. 756/25

12.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Ashwani Ojha, 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 **03.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 30.10.2025. 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
12.11.2025

A.No. 757/25

12.11.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Sapna Gupta, Ld. Proxy counsel for the appellant through VC.

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 **02.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 09.10.2025. 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
12.11.2025

A.No. 759/25

12.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Gautam Singh, Ld. counsel for the appellant along with appellant.

Sh. Manish Yadav, Nodal Officer for DDA.

No case for interim relief is made out as the appellant has not filed any documents to show his right, title or interest in the property, against which the demolition order has been passed.

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
12.11.2025

A.No. 761/25

12.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Chandan Prajapati, 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 **18.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 765/25

12.11.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Rudra Pratap, Ld. counsel for the appellant through
VC.

Sh. Mohit Singh, 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 **17.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 22.10.2025. 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
12.11.2025

A.No. 123/22

12.11.2025

Present : Ms. Sumita Hazarika, Ld. counsel for the appellant
Sh. Prakhar Gupta, Ld counsel for the appellant along
with appellant through VC.
Sh. Rakesh Lakra and Ms. Shivani Kher , Ld counsel for
the respondent no. 2 and 3.

Ld. counsel for the appellant submits that she has
instructions from the appellants to withdraw the aforesaid
appeal in view of the settlement entered into between the
parties i.e. between the appellants and respondent no. 2
and 3 and she may be permitted to withdraw the
aforesaid appeal.

Statement of Id. counsel for the appellant recorded
separately to this effect.

In view of the statement made by the Id. counsel for the
appellants, the aforesaid appeal is disposed off as
withdrawn.

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
12.11.2025

A.No. 571/25

12.11.2025

Present : Sh. Dalip Singh, Ld counsel for the appellant through VC.
Sh. R. Kartik, Ld. counsel for the appellant in person.

Ld. counsel for the appellant requests for adjournment.

At request, put up for consideration on **19.01.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

12.11.2025

A.No. 578/25, 580/25 & 581/25

12.11.2025

Present : Sh. Sanjeev Kumar, Ld counsel for the appellant.
Sh. Paras Aggarwal, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

Ld. counsel for the respondent seeks some time to file the record. Let the record be filed by the respondent.

In the meantime, issue notice of interim application(s) as well as appeal to the other respondents except the respondent no. 1/MCD, for next date of hearing.

Put up for arguments on **06.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 584/25

12.11.2025

Present : Sh. Manish Kumar, 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 **24.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 585/25, 586/25 & 587/25

12.11.2025

Present : Sh. Sanjeev Kumar, 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 **06.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 27.06.2025. 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
12.11.2025

A.No. 589/25

12.11.2025

Present : Sh. Arman Monga, Ld counsel for the appellant.

Submissions heard. File perused.

The demolition order has not yet been filed.

Ld. counsel for the appellant requests for some time to file the demolition order. Let the same be filed.

In the meantime, 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 **26.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 612/25

12.11.2025

Present : Sh. Hlmanshu Dagar , Ld counsel for the appellant
through VC

Ld. counsel for the appellant seeks some short
accommodation.

At request, put up for further proceedings on **30.01.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

12.11.2025

A.No. 651/25

12.11.2025

Present : None 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 **12.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 653/25

12.11.2025

Present : Sh. Karan Kaushal, Ld counsel for the appellant through VC.

Heard. File perused.

The demolition order under challenge has not been filed to appreciate the reasoning of the respondent. Let the same be filed.

In the mean time, 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**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 656/25

12.11.2025

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld. counsel for the respondent.

Memo of appearance filed on behalf of the respondent
Ld. counsel for the respondent seeks some time to file
the status report and record. Let the same be filed on or
before the next date of hearing.

Put up for arguments on **08.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 674/25

12.11.2025

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

Submissions heard. File perused.

Sealing order has not yet been filed.

It is stated that the appellant has filed an application before the department, but the sealing order has not been provided, though as per the contents of the appeal, third floor has already been sealed.

Without going into the contents of the sealing order, same cannot be stayed.

In the meantime, 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 **08.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 676/25

12.11.2025

Present : Appellant in person along with counsel Sh. Rajesh Kumar Sharma.
Sh. Vikar Kumar, MTS from the respondent department.

Status report is filed by the MCD, copy supplied.

This appeal is against the vacation notice dated 15.09.2025. As per the status report, the demolition order was passed on 28.07.2025.

Appellant submits that she has no knowledge of this demolition order and seeks time to amend the appeal to challenge the demolition order.

Copy of the demolition order provided to the counsel for the appellant today in the court.

Ld. counsel seeks time for today itself to file the amended appeal.

Be put up on 2.00 pm.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

At 2.30 pm

Present : Appellant in person along with counsel Sh. Rajesh Kumar Sharma.
None for the respondent.

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An amended appeal challenging the demolition order has been filed. Heard and perused.

Issue notice of interim application(s) as well as amended 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 **17.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 28.07.2025. 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
12.11.2025

A.No. 735/25

12.11.2025

Present : Sh. Akash Gupta, Ld counsel for the appellant through VC.

Sh. Atul Kumar Gupta, 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 19.01.2026 In view of the heavy pendency, no early hearing is possible.

The application is dismissed.

Till next date of hearing, no coercive action be taken in pursuance of the demolition order dated 28.05.2025

Put up on the date fixed for the purpose fixed i.e.

19.01.2026.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

12.11.2025

A.No. 654/14

12.11.2025

Present : Appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Naresh Kumar Beniwal, Id. counsel for the respondents no. 4 to 7.

Appellant submits that his counsel has withdrawn himself from this case and he seeks some time to engage a new counsel.

Record shows that written synopsis have already been filed by the appellant in this case. Earlier also, adjournment was sought by the appellant on one or other ground.

Appellant is given one last and final opportunity for oral arguments.

Put up for arguments on **26.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 596/16 &, 597/16

12.11.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Sudesh Sharma, Ld counsel for the respondent.

An application for regularization for the compoundable deviations filed by the appellants in February 2022 is still pending before the respondent, who is now required to decide that application after their office circular dated 17.09.2025.

Let the respondent to pass order on that regularization application within 2 weeks from today and to file status report on next date of hearing.

Put up for arguments on **09.12.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 652/16

12.11.2025

Present : Ms. Parul Agarwal, Ld. counsel for the appellant.
Appellant through VC.
Ms. Sudesh Sharma, Ld counsel for the respondent.

Arguments heard. Record perused.

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

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
12.11.2025

A.No. 601/16

12.11.2025

Present : Sh. Devesh Pratap Singh and Ms. Ritu Chaudhary, Ld
counsels for the appellant.
Sh. Ashutosh Gupta and Sh. Dharamvir Gupta, Ld
counsels for the respondent.

Arguments heard at length.

Put up for orders on **18.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 106/19

12.11.2025

Present : Sh. Shubham Kaushik , Ld counsel for the appellant.
Sh. K.K. Arora, Ld counsel for the respondent.

An application seeking condonation of delay in moving the application under Order XXII rule 3 CPC filed. Copy supplied.

Arguments heard.

The appellant had passed away on 08.07.2021 and the first application was filed on 18.11.2021 to implead three children of the appellant. Later, another application was filed to implead son being an attorney of his two sisters. The third application was filed informing the court that the wife of the appellant predeceased him.

As far as the limitation is concerned, in view of the judgment of the Hon'ble Supreme Court of India passed in Suo Moto writ petition no. 3/2020, entire period between 15.03.2020 to 28.02.2022 is to be excluded for the purpose of limitation. The first application was filed during that period and therefore, the question of limitation shall not arise. The right to issue survive. The application is allowed. The son of the appellant is impleaded as appellant.

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At request, put up for arguments on appeal on
28.01.2026.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 394/19

12.11.2025

Present : Sh. Ashish Gupta, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments heard on the application seeking condonation of delay of about 28 days in filing the appeal. With an endeavour to decide the case on merit, the application is allowed. Delay is condoned.

An adjournment is sought on behalf of the appellant as main counsel is un-available today due to bad health.

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

Put up for arguments on appeal on **02.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 124/20

12.11.2025

Present : Sh. Manmohan Singh, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld counsel for the respondent for
DDA along with Sh. Manish Yadav, Nodal Officer and Sh.
Vipin, JE.
Sh. Mukesh Kumar and Ms. Garima Agarwal, Id.
counsels for the respondents no. 2 to 11.

Arguments heard at length.

Put up for orders on **28.11.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 303/20 & 151/24

12.11.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Sh. V.K. Aggarwal and Ms. Parveen Sharma, Ld. counsels for respondent.
Ms. Simran Singh, Ld. counsel for the proposed intervener/applicant in appeal no. 303/20.

Vakalatnama filed on behalf of Sh. V.K. Aggarwal for the respondent. Same is taken on record.

Arguments heard on the application under Order I rule 10 CPC filed by one intervener Anurag Singh through his attorney Atul Sardana, a resident of ground floor.

Ld. counsel for the intervener has relied upon the judgment of the Hon'ble High Court passed in **Meena Sharma Vs. Seema 2019 SCC Online Delhi 11567** and has argued that the intervener being a resident of ground floor of the same building is a necessary party.

Even if it is presumed that all the averments made in the application are correct, then also in this proceeding between the appellant and the MCD, the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case **Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170** in

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which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage. The judgment relied upon by the Ld. counsel for the intervener is not applicable as in that case, the Hon'ble High Court has specifically passed an order that the petitioner therein shall be intimated about the decision of the MCD in writing and which shows that the petitioner was an aggrieved party.

The respondent has not yet filed the report in compliance to order dated 24.05.2025. Let the same be filed on or before the next date of hearing.

Put up for arguments on the appeal on **17.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 102/23, 162/23, 732/23 & 733/23

12.11.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta and Ms. Parveen Sharma, Ld
counsels for the respondent.
Sh. Pushpender Shukla, Ld. counsel for the applicant/
proposed intervener.

An application under Order I rule 10 CPC has been filed
on behalf of the proposed applicant/intervener. Copy
supplied.

Put up for arguments on the appeal as well as on this
application on **25.03.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 236/23

12.11.2025

Present : Sh. Ashutosh Yadav , Ld counsel for the appellant.
Sh.Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent, Ld counsel for the respondent.
Ms. Neeta Bahl, Ld. counsel for the intervener.

Copy of the order dated 16.05.2025 passed by the Hon'ble High Court in CRP no. 58/23 filed on record.

This petition has been disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 515/23 & 542/23

12.11.2025

Present : Sh. Ajay Brahme, Ld counsel for the appellant.
Appellant in person.
Sh. Akhil Mittal, Ld Standing counsel for the respondent.

Arguments heard on the application seeking condonation of delay of about two years in filing in the appeal no. 515/23.

As per the appellant, the sealing order dated 27.08.2021 was received by him on 01.09.2021 and as per the legal advice, a writ petition was filed on 18.09.2021 before the Hon'ble High Court which was withdrawn on 21.07.2023 with liberty to file this appeal which was filed on 11.08.2023 and is limitation. Otherwise also, the appellant is entitled to benefit of Section 14 of the Limitation Act.

Same is opposed by the respondent on the ground that appellant himself chose to file the writ petition instead of appeal and cannot seek benefit of his own mistake. The Hon'ble High Court never condoned the delay on 21.07.2023 while giving liberty to file this appeal and the delay of almost 2 years cannot be condoned.

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Admittedly, the period between 15.03.2020 to 28.02.2022 is to be excluded for the purposes of limitation in view of the judgment of the Hon'ble Supreme Court of India passed in Suo Moto writ petition no. 3/2020. The appellant filed writ as advised instead of file appeal before this Tribunal. He is entitled to the benefit of Section 14 of the Limitation Act.

Otherwise also, endeavours should be made to decide the case on merits instead of technical reasons. The delay is condoned subject to cost of Rs. 5,000/- to be deposited with Registry.

Put up for arguments on appeal on **25.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 583/23 & 584/23

12.11.2025

Present : Sh. Amit Vohra, Ld counsel for the appellant through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Vishal Johri, Ld. counsel for the applicant/intervener.

An adjournment is sought by the ld. counsel for the appellant on the ground that he is not well today.

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

Put up for arguments on the application under Order I rule 10 CPC as well as appeal on **20.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 787/23 & 788/23

12.11.2025

Present : None for the appellant.
 Ms. Praveen Sharma, Ld counsel for the respondent.

None has appeared for the appellant despite repeated calls since morning. It is already 2.15 pm.

No adverse order is being passed today.

Put up for arguments on **08.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

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

12.11.2025

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

Status report as per the last order not filed. Let the same be filed on or before the next date of hearing.

At request, put up for arguments on **16.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 373/24

12.11.2025

Present : Sh. Anil Kumar Jain, Ld counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent.

An application under Order I rule 10 CPC has been filed by the appellant to implead Co-operative Group Housing Society, where the flat of the appellant is situated. The society has no role to play in the appeal. The application is hereby dismissed.

At request, put up for arguments on **07.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 686/24

12.11.2025

Present : Sh. M.G. Vachar, Ld counsel for the appellant along with attorney of the appellant.
None for the respondent.

Ld. counsel as well as attorney for the appellant submit that they have instructions from the appellant to withdraw the aforesaid appeal and they may be permitted to withdraw the aforesaid appeal.

Statement of attorney of the appellant recorded separately to this effect.

In view of the statement made by the attorney for the appellant, the aforesaid appeal is disposed off as withdrawn.

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
12.11.2025

A.No. 37/25

12.11.2025

Present : None for the appellant.
 Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish
 Sabharwal, Ld. counsel for respondent

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

No adverse order is being passed today.

Put up for arguments on **17.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 3/25 (M)

12.11.2025

Present : Sh. Tarun Sharma , Ld. Proxy counsel for the appellant.
Ms. Praveen Sharma , Ld counsel for the respondent.

This is an application seeking restoration of appeal which was dismissed in default on 10.01.2025. The application was filed on 17.01.2025 stating that the counsel noted the wrong date as 14.01.2025. Infacts, the application is allowed and the appeal is restored subject to cost of Rs. 2,000/- to be deposited with Registry.

Put up for arguments on the appeal on **16.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 47/25

12.11.2025

Present : Sh. Saurab Kumar , Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent.

Fresh memo of appearance filed for the appellant.

Fresh Vakalatnama filed on behalf of the respondent,
same is taken on record.

Adjournment sought by the appellant as the counsel has
been recently engaged.

Registry is directed to tag the file of appeal no. 492/24
decided on 18.10.2024 with this file.

Put up for arguments on **17.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 117/25

12.11.2025

Present : Ms. Sandhya, Ld. Proxy counsel for the appellant.
Sh. Nandan Goel, Ld counsel for the respondent along
with Sh. Abhishek Pandey, JE(B), West Zone.

An adjournment is sought on behalf of the appellant as
sister of the main counsel is hospitalized since yesterday.
Same is opposed.

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

Put up for arguments on **16.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 191/25, 192/25 & 193/25

12.11.2025

Present : Sh. Deepak Kumar, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent in
remaining three appeal.

Fresh Vakalatnama filed on behalf of the respondent.
Same is taken on record.

The aforesaid appeals are against the show cause notice
dated 28.02.2025, which is not appealable before this
Tribunal. The appeals are dismissed with liberty to
challenge the demolition/ sealing order as per law.

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
12.11.2025

A.No. 494/25

12.11.2025

Present : Sh. Deepak Kumar, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld. counsel for the respondent.

An application has been filed by the appellant to correct the provisions of law under which this appeal has been filed. The application is allowed and the correct provisions i.e. Section 347(B) DMC Act be read in place of 343(3) DMC Act.

At request, put up for arguments on **17.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the sealing order dated 16.07.2025. 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
12.11.2025

A.No. 646/25

12.11.2025

Present : Sh. Deepak Kumar, Ld counsel for the appellant.
None for the respondent.

The aforesaid appeal is against the vacation notice, 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
12.11.2025

A.No. 242/25

12.11.2025

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

An adjournment is sought on behalf of the appellant as main counsel is held up before the Hon'ble High Court.

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

At request, put up for arguments on **07.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 299/25

12.11.2025

Present : Sh. Manmohan Singh and Sh. Rajeev Kumar Bhola, Ld counsels for the appellants along with appellants.
Sh. Nandan Goel, Ld. counsel for the respondent in appeal on 299/25.
Ms. Lovee Tyagi, Ld. counsel for the intervener through VC.
Intervener in person.

Reply to the application under Order I rule 10 CPC filed.

Arguments heard.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to

...contd.2

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be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

Ld counsel for the appellant however submits that this Tribunal has to adjudicate whether the impugned demolition and sealing order are proper or unlawful.

At request, put up for arguments on **10.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
12.11.2025

A.No. 356/25

12.11.2025

Present : Sh. Manmohan Singh and Sh. Rajeev Kumar Bhola, Ld counsels for the appellants along with appellants.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 356/25.
Ms. Lovee Tyagi, Ld.cousnel for the intervener through VC.
Intervener in person.

Reply to the application under Order I rule 10 CPC filed.

Arguments heard.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10

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CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

Fresh Vakalatnama filed by the respondent along with an order of the Hon'ble High Court passed in Writ Petition no. 5179/2025 dated 27.10.2025 along with one photograph. Same are taken on record

It has been submitted that the property was demolished in pursuance of the directions of the Hon'ble High Court and the appeals have become infructuous.

At this stage, Id. counsel for the appellant submits that he has instructions from the appellant to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal.

Statement of Id. counsel for the appellant recorded separately to this effect.

In view of the statement made by the Id. counsel for the appellants, the aforesaid appeal is disposed off as withdrawn.

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
12.11.2025

A.No. 518/19

12.11.2025

Present : Appellant in person.
Sh. Dharamvir Gupta , Ld counsel for the respondent.

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

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
12.11.2025