A.No. 787/25

20.11.2025

Fresh appeal filed. Be checked and registered.

Present: Sh. Sanjay Agarwal, Ld. counsel for the appellant along

with Appellant.

Powers in respect of the matters of NDMC not yet

received.

Put up for consideration on 23.12.2025, for awaiting

powers.

A.No. 788/25 & 789/25

20.11.2025

Fresh appeal filed. Be checked and registered.

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

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**.

A.No. 414/25

20.11.2025

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

VC.

Sh. Pulkit Garg, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel is not available today due to some personal difficulty.

At request, put up for arguments on **07.05.2026**.

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

A.No. 417/25, 418/25, 419/25 & 420/25

20.11.2025

Present: Ms. Aditya Kumari, Ld counsel for the appellant through

VC.

Ms. Sachi Jain, Ld. counsel for the appellant.

None for the respondent.

Files are taken up today on applications of early hearing filed on behalf of the appellants moved in pursuance of the orders of the Hon'ble High Court dated 20.08.2025.

The next date of hearing in the matter is 13.01.2026. The appeals are of the year 2025. In view of the heavy pendency, no early hearing is possible. The applications are dismissed.

However, till next date of hearing, no coercive action be taken against the properties of the appellants.

Put up on the date fixed i.e. **13.01.2026** for the purpose fixed.

A.No. 454/25

20.11.2025

Present:

Sh. Manjeet Kumar Pathak, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

Neither the demolition order has been annexed nor its particulars have been mentioned in the appeal.

The office record submitted by the respondent shows that the property was booked since March 2019 and thereafter, part demolition action were taken in the year 2023 and in July 2024 and was again booked for further unauthorized construction on 10.02.2023.

The appeal is hopelessly barred by limitation and no application seeking condonation of delay has been filed.

No ground for interim stay is made out. Property is already lying sealed.

Put up for arguments on the maintainability of the appeal on **07.05.2026**.

A.No. 671/25

20.11.2025

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

Ld. counsel for the appellant seeks some short accommodation. At request, the matter is adjourned.

In the meanwhile, 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 13.02.2026.

A.No. 88/16

20.11.2025

Present:

Sh. Yogesh Saxena, Ld counsel for the appellant along with appellant.

Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.

Ms. Sonia A Menon, Ld. counsel for the applicant/intervener.

Part arguments heard.

Ld. Proxy counsel for the respondent seeks some short accommodation to argue the matter.

At the request of Id. counsel for the respondent/MCD, put up for further arguments on **25.11.2025**.

20.11.2025

Present:

Sh. Anurag Malik, Ld counsel for the appellant.

Sh. Sanjeet Kumar and Sh. Shiv Chopra, proxy counsels for Sh. Pritish Sabharwal, Ld. counsel for respondent.

Sh. M.N. Siddique, Ld. counsel for the respondent no. 2 through VC.

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

As per the appellant, she got the copy of the sanctioned letter only on 28.03.2017 and filed this appeal in time.

The same is disputed by the ld. counsels for the respondent on the ground that as per the appeal, the appellant came to know about the order on 13.05.2016.

Even if, it is believed that the appellant came to know about the order on 13.05.2016, getting a copy of the same is essential to challenge it as the grounds for challenge are to be prepared only after going through the sanction letter. The Hon'ble High Court permitted the appellant to file an application before this court seeking condonation of delay to be decided on merits of that application.

....contd.2

In view of the above discussion, the delay in filing the appeal is condoned. The application seeking condonation of delay stand disposed of.

At request, put up for arguments on appeal on **29.01.2026**.

A.No. 134/19 & 135/19

20.11.2025

Present:

Sh. R.K. Pandey and Sh. P.S. Gullia, Ld counsels for the

appellant along with appellant.

Sh. Sandeep Kumar, Ld counsel for the respondent/MCD

along with Sh. Faiz Ahmad Bakshi, AE(B).

Sh. Vipon Saini, Ld. counsel for the respondent no. 3

through VC.

Status report is filed by the MCD, copy supplied.

Ld. counsel for the respondent no. 3, who has been

recently engaged, seeks time to make submissions as

well as to file documents relating to approval of fresh

sanction plan as directed on the last date of hearing. Let

the same be so filed.

Advance copy of the said documents be supplied to the

counsel for the appellant.

Ld. counsel for the appellant has submitted that

ownership documents of the appellant are already on

record in the form of jamabandi of the said village and no

other documents is to be filed in respect of ownership.

Put up for further arguments on 29.01.2026.

(AMIT KUMAR) Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

20.11.2025

A.No. 187/19 & 188/19

20.11.2025

Present: Sh. A.K. Tyagi, Ld counsel for the appellant along with

appellant.

Sh. Mohit Sharma and Sh. Pulkit Garg, Ld counsels for

the respondent in appeal on 187/19.

Sh. Sagar Dhama, Ld. counsel for the respondent in

appeal no. 188/19.

Arguments heard on appeals.

Vide separate judgment of even date, the aforesaid

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.

A. No. 716/19: - Bharat Gupta Vs. MCD

A. No. 806/19: - Sushma Girdhar Vs. MCD

A. No. 807/19: Richa Jain Vs. MCD

A. No. 808/19: - Rajesh Bhatia Vs. MCD

A. No. 809/19: - Babita Gupta and Anr. vs. MCD

A. No. 810/19: - Raksha Sharma Vs. MCD

A. No. 811/19: - Sunil Bhatia Vs. MCD

A. No. 812/19 :- Vidya Rani Tomar Vs. MCD

A. No. 813/19 :- Ram Kumar Gupta Vs. MCD

20.11.2025

Present: Sh. Sanjeev, Ld counsel for the appellants.

Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh Gupta, Adv. for the respondent/MCD.

Sh. G.S. Bhatia, Ld. counsel for the DDA.

Sh. Naresh Sharma, Ld. counsel for the DDA in appeals no. 808/19, 809/19, 812/19 & 813/19.

Sh. Sanjay Sharma and Sh. Prakash Ld. counsel for the DDA in appeals no. 716/19 and 811/2019.

Sh. Manish Yadav, Nodal officer for DDA.

- 1. Arguments heard. Files perused.
- 2. The orders dated 04.12.2019 in appeal no. 716/19 and 811/19 and orders dated 07.12.2019 in all other appeals have been challenged. Ld. counsel for the appellant has drawn my attention to para 3 of this speaking order which record that the property is very old and on local inquiry, was constructed in the year 2003 in some cases and in 2004 in other cases.

...contd.2

- 3. It is argued that since the construction alleged to be unauthorized construction relates back to the year 2003 and 2004, same is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 as the construction belongs to prior to the year 2007.
- 4. Ld. counsel for the respondent on the other hand argued that property was booked under the directions of Monitoring Committee appointed by Hon'ble Supreme Court of India and these appeals before this tribunal is not maintainable and further the year of construction is based on local inquiry and cannot be considered as the exact year of construction.
- 5. The orders under challenge were passed under Section 343 of DMC Act, which are appealable before this Tribunal. Further, the orders itself say that the property is very old and was constructed in the year 2003 or 2004. When the respondent itself is of the opinion that the property is very old and has also mentioned the year though based on local inquiry, the property is entitled to be benefit of National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 being in existence prior to year 2007.

- In view of the same, the impugned demolition orders are kept in abeyance till the National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is in force.
- 7. Appeals stand disposed of.
- 8. Record of the respondent, if any, be returned along with copy of this order and appeal files be consigned to record room.

A.No. 256/20, 257/20 & 258/20

20.11.2025

Present: Sh. G.D. Mishra, Ld counsel for the appellant through VC.

Sh. Mohit Sharma, Ld counsel for the respondent along

with Sh. Faiz Ahmad Baksh, AE(B)

Ld. counsel for the respondent seeks some short accommodation to file the sealing record as the record is not traceable.

Same is strongly opposed as the appeals are pending since 2020 and the property is lying sealed.

Last and final opportunity is given to the respondent to file the record, failing which, the appeals shall be decided only on the basis of record already produced.

Put up for arguments on **03.02.2026**.

A.No. 441/21

20.11.2025

Present:

Sh. R.B. Singh, Sh. Gurpreet Singh and Sh. Amarpreet Singh Ld. counsels for the appellant.

Sh. Kunal Malik, Ld Proxy counsel for the respondent.

Sh. V.K. Bajaj and Sh. Parmeet Singh, Ld counsels for the applicant/intervener.

Arguments on maintainability of the application under order 1 Rule 10 CPC filed by applicant Abhishek 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 CPC is herebycontd.2

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

At request, put up for arguments on the application u/s 5 of Limitation Act as well as appeal with connected appeal bearing no. 66/22 on **24.02.2026**.

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

A.No. 66/22

20.11.2025

Present:

Sh. V.K. Bajaj and Sh. Parmeet Singh, Ld counsels for the appellant.

Sh. Kunal Malik, Ld Proxy counsel for the respondent.

Sh. Akhilesh Kumar, Ld. counsel for the applicant/intervener Poonam Gupta.

Sh. R.B. Singh, Ld. counsel for the applicant/intervener Manjeet Kaur.

Arguments heard on both the applications under Order I rule 10 CPC of Poonam Gupta and Manjeet Kaur.

Even if it is presumed that all the averments made in the applications are correct, then also in this proceeding between the appellant and the MCD the applicants have no right to participate and they 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 applicants and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, applications moved by applicant under order 1 Rule 10 CPC are ...contd.2

hereby dismissed. However, the applicants/interveners are permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

An application of the appellant under Order VI rule 17 CPC seeking amendment in the prayer clause is pending. In the original appeal, the appellant did not challenge the sealing order and only the show cause notice was challenged. By way of this application, it has been prayed that the appellant may be permitted to challenge the sealing order which could not be done because of oversight of the counsel.

In-facts, the application is allowed and the amended appeal is taken on record.

On 04.03.2025, the respondent was directed to clarify as to which portion of the third floor was to be sealed and which has been sealed.

Neither JE nor AE is present today.

Let JE/AE of the building be present with the report as asked vide order dated 04.03.2025 on the next date of hearing.

Put up for arguments with connected matter on **24.02.2026**.

A.No. 666/22 & 294/24

20.11.2025

Present:

Ms. Parul Verma, Ld. Proxy counsel for the appellant

through VC.

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

appeal no. 294/24.

Ld. counsel for the appellant seeks pass-over. It is already 12.30 pm. In view of the heavy cause list, the

pass-over is not possible.

Put up for arguments on 19.02.2026.

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

hearing.

A.No. 206/23

20.11.2025

Present: Sh. Ayaz Ahmad, Ld counsel for the appellant.

Sh. Sagar Dhama, Ld. Proxy counsel for the respondent.

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

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

Put up for arguments on 24.03.2026.

Till next date of hearing, no coercive action be taken against the property of the appellant.

A.No. 382/23

20.11.2025

Present: Husband of the appellant in person.

Sh. Madan Sagar, Ld counsel for the respondent.

An application seeking waiver of cost imposed vide order dated 07.05.2024 filed on behalf of the appellant. Copy supplied.

Submissions heard.

The cost was imposed while condoning the delay of 97 days in filing the appeal and there are no grounds to waive the cost. However, cost is reduced to Rs. 5,000/-. Let the cost be deposited positively on or before the next date of hearing.

An adjournment is sought on behalf of the appellant as main counsel is not available today due to high sugar.

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 **06.04.2026**.

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

A.No. 386/23

20.11.2025

Present: Sh. Sanjay Sharma, Ld counsel for the appellant through

VC.

Sh. Pritish Sabharwal, Ld. counsel for respondent.

An application has been filed by the appellant to place on record additional documents which are a show cause notice dated 29.10.2004 issued by MCD and certain property tax receipts. Copy supplied.

Without prejudice to the rights of the respondents, the documents are taken on record.

The application stands disposed of.

At request, put up for arguments on **06.04.2026**.

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

A.No. 586/23

20.11.2025

Present:

Sh. F.A. Khan, Ld. Proxy counsel for the appellant with appellant.

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

An adjournment is sought on behalf of the appellant as main counsel is out of station because of a matter in Hon'ble High Court of Andhra Pradesh.

Adjournment was sought on the last three dates as well. In the interest of justice one last and final opportunity is granted to the appellant to address the arguments in the matter subject to cost of Rs. 3,000/- to be deposited with Registry.

Put up for arguments on 23.04.2026.

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

A.No. 625/23

20.11.2025

Present:

Sh. Gagan Gandhi, Sh. Vijay Kumar and Ms. Tahushree Bakshi, Ld counsel for the appellant.

Sh. Pulkit Garg, Ld. Proxy counsel for the respondent.

Sh. Ahmad Khan, Ld. counsel for the applicant/intervener.

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

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. proxy counsel for the respondent seeks time to file the status report. Let the same be filed on or before the next date of hearing.

Put up for arguments on 28.04.2026.

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

A.No. 150/24 Sat Pal Singh Padam Vs. MCD

20.11.2025

Present:

Sh. V.K. Bajaj and Sh. Parmeet Singh, Ld counsel for the appellant.

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

Sh. Dalip Rastogi, Ld. counsel for the respondents no. 2

to 5.

Fresh vakalatnama filed for the respondents no. 2 to 5.

This is an appeal seeking revocation of the sanctioned plan given to the respondent no. 2 to 5.

As per the status report filed on the last date of hearing, proceedings under Section 338 of DMC Act for revocation of the sanctioned plan of the respondents no. 2 to 5 has already been initiated.

Since, the respondent/MCD has already initiated an action under Section 338 of DMC Act, no cause of action survives in this appeal.

The appeal is disposed of.

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

A.No. 454/24 & 455/24

20.11.2025

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

Sh. Pulkit Garg, Ld. Proxy counsel for the respondent.

At request, put up for arguments on 20.03.2026.

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

hearing.

A.No. 487/24

20.11.2025

Present: Ms. Neetu Raheja, Ld. proxy counsel for the appellant.

Sh. Pritish Sabharwal, Ld. counsel for 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.

Put up for arguments on 24.04.2026.

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

hearing.

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

20.11.2025

A.No. 488/24 & 2/25

20.11.2025

Present: Sh. B.S. Mathur, Ld counsel for the appellants.

Sh. Atul Tanwar, Ld. counsel for the respondent in appeal

no. 488/24.

Sh. Pulkit Garg, Ld. Proxy counsel for the respondent in

appeal no. 2/25.

Part arguments heard.

At request, put up for further arguments on **18.02.2026**. Interim orders, if any, to continue till the next date of

hearing.

A.No. 935/25

20.11.2025

Present: Sh. Gourav Dixit, Ld counsel for the appellant through

VC.

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

Sh. Sachin Bandooni, Ld. counsel for the applicant.

Some time is sought by the appellant to file reply to the

application under Order I rule 10 CPC.

Let the same be filed within 6 weeks with advance copy

to the other side.

Put up for arguments on 27.04.2026.

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

20.11.2025

A.No. 35/25

20.11.2025

Present: None for the appellant.

Sh. Pulkit Gag, Ld counsel for the respondent.

None has appeared for the appellant despite repeated

calls since morning.

No adverse order is being passed today.

Put up for arguments on **06.05.2026**.

A.No. 45/25

20.11.2025

Present: None for the appellant.

Sh. Atul Tanwar, Ld counsel for the respondent.

None has appeared for the appellant despite repeated

calls since morning.

No adverse order is being passed today.

Put up for arguments on **06.05.2026**.

A.No. 51/25

20.11.2025

Present: Sh. Zuhaib Khan, Ld. proxy counsel for the appellant.

Sh. Prithish Sabharwal, Ld. counsel for the respondent.

An adjournment is sought on behalf of the appellant as

main counsel is hospitalized.

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 07.05.2026.

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

hearing.

A.No. 264/25

20.11.2025

Present: Sh. Manmeet Singh Maini, Ld counsel for the appellant.

Sh. Jasleen Kaur, Ld counsel for the respondent.

Sh. Ashok Kumar, Ld. connsel for the respondent no. 2.

At request, put up for arguments on 20.04.2026.

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

hearing.

A.No. 368/25 & 369/25

20.11.2025

Present: Ms. Kirti Mewar, Ld counsel for the appellant.

Sh. Deepak Tyagi, AE(B), in person.

Part arguments heard.

Let the appellant and the respondent to produce the

sanctioned building plan on the next date of hearing.

Ld. counsel for the respondent has not appeared despite

repeated calls, hence, the matter is adjourned.

Put up for further arguments on 17.02.2026.

A.No. 221/17 & 116/18

20.11.2025

Present: Sh. Irfan Ahmad, Ld counsel for the appellant.

Sh. Mohit Sharma, Ld counsel for the respondent.

Vide separate judgment of even date, the aforesaid

appeals are allowed.

Record of the respondent, if any, be returned along with

copy of this order and appeal file be consigned to record

room.