

A.No. 852/25

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Parul Agarwal, 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 **25.05.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 24.11.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 853/25
Anil and Anr. Vs. MCD

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Satpal Singh, Ld. counsel for the appellant.

Submissions heard. File perused.

The show cause notice dated 10.10.2025 was replied by the appellant on 18.11.2025 which was belated and in between, the demolition order dated 03.11.2025 was passed recording that no reply has been received.

Two show cause notice were issued for plot no. 1 and plot no. 2 on the left hand side of one number road, Ghitorni whereas the demolition order under challenge is only in respect of plot no. 1. It records that there is unauthorized construction of entire ground floor and part constructed first floor. The main grievance of the appellant is that his reply to the show cause notice though given belatedly should have been considered.

In these facts, the demolition order dated 03.11.2025 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 18.11.2025 submitted by the appellant and after giving

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personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **12.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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
17.12.2025

A.No. 854/25 & 855/25

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Dalip Rastogi, 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 **03.02.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 11.07.2025. The property has already been lying sealed. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 856/25

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Rishabh Raj, Ms. Anjali and Sh. Rahul Aklaque, Ld. counsels for the appellant along with appellant no. 1 in person.

Submissions heard. File perused.

Ld. counsel for the appellant seeks permission to withdraw the prayer qua the sealing order and submits that this appeal may be treated against the demolition order only.

Statement of the ld. counsel to this effect recorded separately.

In view of the statement made by the appellant, the appellant is permitted to withdraw his prayer qua the sealing order and now this appeal shall be treated against the demolition order only.

Ld. counsel for the appellant also seeks time to file application seeking condonation of delay in filing the appeal challenging the demolition order dated 02.11.2023. Let the same be so filed.

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

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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 **20.02.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 02.11.2023. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 857/25

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Yash Mittal, Ld. counsel for the appellant through VC.
Sh. Raghav Garg and Sh. Nalin Vinayak Gupta, Ld. counsels for the appellant in person.

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 **12.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 858/25

17.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Manav Sharma, 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 **11.05.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 01.11.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 385/21

17.12.2025

Present : Sh. Manish Batra, Ld counsel for the appellant through VC.

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 07.04.2026. The appeal is of the year 2021. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Put up on the date fixed i.e. **07.04.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 216/22

17.12.2025

Present : Sh. Mridul Singh Vats, Ld counsel for the appellant.

File is taken up today on an application for rectification of the order dated 03.12.2025.

It is stated that matter was reserved for orders, but in the order sheet, it is mentioned for further arguments and this mistake should be rectified.

There is no error in the order dated 03.12.2025 and hence, the application stands dismissed.

Put up on the date fixed for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 481/24
Ritu Palgotra Vs. MCD

17.12.2025

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

Ld. counsel for the respondent confirms on instruction that the construction in the property existing as on date has been regularized.

In view of the same, this appeal has become infructuous as no action has to be taken after regularization of the property in pursuance to the impugned demolition order dated 25.06.2024.

The demolition order is however upheld with rider that no coercive action be taken against the property as the allegations have been cured by the appellant and the property has already been regularized.

The appeal stands disposed of being infructuous.

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
17.12.2025

A.No. 693/24

17.12.2025

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

At request, put up for arguments on appeal on
24.03.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 705/25

17.12.2025

Present : Sh. Abhinav Prakash, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent. Fresh
Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy supplied.

The record has been produced. It be deposited with
Registry.

As per the office record, the property was booked at the
instance of Monitoring Committee appointed by the
Hon'ble Supreme Court of India.

The appropriate remedy is to approach the Judicial
Committee appointed by Hon'ble Supreme Court of India
as the booking was done at the instance of Monitoring
Committed.

Ld. counsel for the appellant seeks some time in this
regard.

At request, put up for further proceedings on **13.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 25/25 (M)

17.12.2025

Present : Sh. Madur Sapra, Ld counsel for the appellant.
None for the respondent.

This is an application seeking restoration of the appeal dismissed in default on 04.11.2025.

Notice has been served upon the respondent, but none is present.

Submission heard. Application perused.

The application was filed on 10.11.2025. In view of the reason given in the application, the application is allowed and the appeal is restored to its original number.

At request, put up for arguments on the appeal on
19.03.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 770/25

17.12.2025

Present : Ms. Charu Sharma and Sh. Raghav Anthwal, Ld counsels 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 03.03.2026. The appeal is of the year 2025. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

However, till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 16.11.2023. However, it is made clear that no encroachment on the public land is protected.

Put up on the date fixed i.e. **03.03.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 807/25

17.12.2025

Present : Ms. Priyanka, Ld counsel for the appellant through VC

Submissions heard. File perused.

No case for interim perfection is made out as the appellant has not filed any document to show that the construction in the property is old and occupied on 03rd and 4th floor and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 or there is a sanctioned building plan.

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 **10.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 829/25

17.12.2025

Present : Sh. Kamaljeet Singh, Ld counsel for the appellant along with 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 13.02.2026. The appeal is of the year 2025. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Put up on the date fixed i.e. **13.02.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 454/12

17.12.2025

Present : Sh. V.K. Rana, Ld. counsel for the appellant with Sh. P.C. Goyal, Secretary, for the appellant.
Sh. V.K. Aggarwal , Ld counsel for the respondent.

Arguments on appeal heard.

Put up for orders on **19.12.2025**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 142/14 & 143/14

17.12.2025

Present : Sh. Ayush Tiwari, Ld. Proxy counsel for the appellant through VC.

Sh. Nilesh Sahni, Ld. counsel for the respondent through VC.

Powers in respect of the matters of NDMC not yet received.

Put up for arguments on **17.04.2026**, for awaiting powers.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 237/14

17.12.2025

Present : Sh. Prashant Katara, counsel for the appellant through
VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments on appeal heard.

Put up for further arguments on **14.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 446/14

17.12.2025

Present : Sh. H.S. Sharma, Ld counsel for the appellant.
Sh. Sandip Kumar, Ld counsel for the respondent along
with Sh. Mohd. Asif, AE(B).

Status report is filed by the MCD, copy supplied.

Ld. counsel for the appellant submits that he is not
prepared for arguments today.

At request, put up for arguments on **20.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 367/15

17.12.2025

Present : Sh. Rajender Prakash Goel, Prop. Of the appellant in person.
Sh. Mohit Sharma, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel is not available today being busy in 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 **09.03.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 197/24

17.12.2025

Present : Sh. Rajesh Baweja, Ld. counsel for the appellant.
Sh. V.K. Aggarwal, Ld. counsel for the respondent.

At request, put 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
17.12.2025

A.No. 425/15 & 198/24

17.12.2025

Present : None for the appellant.
Sh. Ashutosh Gupta, 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
17.12.2025

At 2.30 pm

Present : None for the appellant.
Sh. Ashutosh Gupta, 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 on the previous date of hearing i.e. on 14.11.2025 as well.

It is 2.30 PM. It appears that the appellant(s) is/are not interested in pursuing these appeals. The aforesaid appeals are 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
17.12.2025

A.No. 342/16
M/s Chennai Network Infrastructure Ltd. Vs.MCD

17.12.2025

Present : Sh. Amit Kumar along with Sh. Ashish Verma, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

Arguments heard. Record perused.

The appellant has challenged the impugned sealing order dated 07.09.2015 on several grounds including that neither the show cause notice dated 24.08.2015 nor the sealing order dated 07.09.2015 was served.

I have seen the office record of the MCD. There is no documents available in the office record to show that the show cause notice dated 24.08.2025 was served upon the appellant or was even sent to the appellant before passing the sealing order dated 07.09.2015.

Service of show cause notice is pre-requisite for proceeding further as it violates the principles of natural justice.

In these facts, the impugned order is set aside with directions to the respondents to pass a speaking order after giving an opportunity to the appellant to file reply as well as documents, if any, and after giving personal hearing to the appellant. The appellant shall appear

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before the Quasi Judicial Authority on 12.01.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The tower/property in question be desealed within two weeks from today.

Record of the respondent, if any, 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
17.12.2025

A.No. 386/16

17.12.2025

Present : Sh. Shah Rukh Khan, Ld counsel for the appellant through VC
Sh. Nilesh Sahni , Ld counsel for the respondent through VC.

Powers in respect of the matters of NDMC not yet received.

Put up for arguments on **24.04.2026**, for awaiting powers.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 756/16
Anil Kumar Sud Vs.MCD

17.12.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
 Sh. V.K. Aggarwal, Ld counsel for the respondent.
 Sh. Mukesh Sachdeva, Ld. counsel for the intervener
 along with intervener.

Ld. counsel for the appellant has placed on record copy of the nomination of transfer of shares and interest of the property/flat no. 147. The covered area of this flat as per this letter is 53.52 sq. mtrs. It shows that the covered area allotted for flat no. 147 was only 53.52 sq. mtrs. As per the PTR already placed on record for the year 2014-15, the covered area in this flat is 65.66 sq. mtrs., with age factor of .8 and it means that excess area was constructed between 1980 to 1989. Same was much prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Hence, the impugned order is kept in abeyance in respect of property of the appellant till this Act is in force. The respondent is at liberty to take action once the Act ceases to be in force. 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
17.12.2025

A.No. 325/17
Angoori Devi Vs. MCD

17.12.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
 Sh. Dharamvir Gupta , Ld counsel for the respondent.
 Sh. Mukesh Sachdeva, Ld. counsel for the intervener.

Original house-tax receipt dated 22.09.2004 along with copy of the PTR of the year 2004-05 produced by the appellant as directed on the last date of hearing. The same shows that additional room was constructed in the property in 2003 for which PTR was filed and house-tax was deposited accordingly. The construction was raised much prior to 08.02.2007.

It is argued for the respondent that this unauthorized construction was raised on the society land and therefore, protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is not available.

Admittedly, the construction is on society land and is not on Government land and further was raised prior to 08.02.2007 and same is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Hence, the impugned order is kept in abeyance in respect of property of the appellant till

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this Act is in force. The respondent is at liberty to take action once the Act ceases to be in force. 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
17.12.2025

A.No. 521/17

17.12.2025

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

Ld. counsel for the appellant sought adjournment on the ground that he has recently been engaged after the death of previous counsel Sh. J.C. Mahendru.

At request, put up for arguments on **23.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 156/18 & 157/18

17.12.2025

Present : Sh. Sunil Chaudhary, Ld counsel for the appellant through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent/MCD.
Sh. Saurabh Puri and Ms. Chetna Chaudhary, Ld. counsels for the respondent no. 2.

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

As per the appellant, he came to know about the sanction plan dated 21.09.2017 only on 30.01.2018 in reply to his RTI Application and therefore, the appeal was filed immediately thereafter. In these facts, the delay is condoned. Applications seeking condonation of delay stand disposed of.

At request, put up for arguments on appeal on
27.04.2026.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 225/19 & 272/19

Sant Ram Vs SDMC

17.12.2025

Present : Sh. Subhash Chawla, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent through VC
in appeal no. 225/19
Sh. Pritish Sabharwal, Ld. counsel for respondent through
VC in appeal no. 272/19.

Arguments heard.

The demolition order dated 11.01.2019 is under challenge on the ground that show cause notice dated 24.12.2018 was never served upon the appellant. The office record shows that the show cause notice was directed to be pasted on 21.01.2019 but was never pasted and instead is reported to be sent by speed post. Neither the speed post receipt is there nor tracking report is there. Only the speed post ED Number is mentioned but to whom it was addressed and at what address it was sent not mentioned.

In these facts it cannot be said that show cause notice was duly served.

As far the sealing appeal No.272/19 is concerned, the appellant submitted his reply to the show cause notice dated 09.04.2019 but in the impugned order it is mentioned that the reply received is not satisfactory. The grounds on which same was not found satisfactory are not mentioned in the sealing order.

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Ld. counsel for the appellant in this regard has rightly relied upon the judgment of Hon'ble Division Bench of Hon'ble High Court passed in W.P.(C) 3636/24 tilted as Real Steel Tyre Company Vs The Principal Commissioner of GST dated 13.03.2024 where in Para -5 the Hon'ble High Court observed that the order saying reply was unsatisfactory ex-facie shows that there was no application of mind to the reply of the petitioner. In view of this law even the sealing order is not sustainable.

In view of the aforesaid, the demolition order dated 05.04.2019 as well as the undated sealing order passed in respect of the property of the appellant bearing No.D-1/183, Central Market, Madangir New Delhi are set aside with directions to the respondents to pass a speaking order after considering the reply and documents, if any submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **13.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

Respondent MCD is directed to deseal the property in question within two weeks from today.

Both the appeals stand 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
17.12.2025

A.No. 240/19

17.12.2025

Present : Ms. Aditi Aggarwal, Ld counsel for the appellant through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Sachin Mittal, Ld. counsel for the 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.

Put up for arguments on appeal on **05.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD/17.12.25

A.No. 278/19

17.12.2025

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

Arguments heard on appeal.

As per the appellant, the property falls under H Category and misuser charges, if any, are required to be paid under H category and not under G category as calculated by the respondent. Though, it was initially claimed that the appellant has already deposited misuser charges under Amnesty Scheme under H category. That receipt filed along with written arguments at page no. 11 shows that it is a property tax deposit under Self-Assessment Amnesty Scheme and not misuser charges.

The respondent is directed to file circulars/notifications to show that the property at the relevant time was under G category.

At request, put up for further arguments on **11.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 287/20

17.12.2025

Present : Sh. Kunal Kalra, Ld counsel for the appellant through VC.
Sh. Atul Tanwar, Ld counsel for the respondent through VC.

It is stated for the appellant that the property has not yet been desealed despite misuser charges being deposited on 09.12.2025 as per order of this court dated 08.12.2025.

For the respondent, it is stated that the prepy be desealed today itself as the approval from the DC was pending.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

At 3.00 p.m.

Present : Sh. Yaman yadav, Ld proxy counsel for the appellant along with appellant in person.
Sh. Atul Tanwar, Ld counsel for the respondent through VC.

Property has been desealed. Appellant seeks permission to withdraw this appeal.

Separate statement of the appellant has been recorded in this regard.

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In view of the above facts and circumstances, 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 26/21

17.12.2025

Present : Ms. Preeti Tiwari, Ld. Proxy counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent through
VC.
None for the R-2.

An adjournment is sought on behalf of the appellant as main counsel is busy before the Karkardooma Courts.

The matter pertains to the year 2021. 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 **26.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 271/21
Vijay Malhotra vs. MCD

17.12.2025

Present : Sh. Vineet Chadha, Ld counsel for the appellant through
VC.
Sh. Madan Sagar, Ld counsel for the respondent.

Arguments heard on the appeal. The owner of the property after her impleadment did not appear despite due service.

As per the status report dated 29.03.2023, the misuser charges of the property amounting to Rs. 33039/- have already been deposited and nothing is due.

In view of the same and subject to filing of undertaking by the appellant that the property shall not be misused for any other purpose except residential, let the property be desealed within a week from today. However, sealing order is upheld.

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
17.12.2025

A.No. 372/21

17.12.2025

Present : Sh. Ritvik Madan, Ld. Proxy counsel for the appellant through VC
Sh. Nilesh Sahni , Ld counsel for the respondent through VC.

Powers in respect of the matters of NDMC not yet received.

Put up for arguments on **24.04.2026**, for awaiting powers.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 417/21

17.12.2025

Present : Sh. Tarun Khanna, Ld counsel for the appellant through VC.
Son of the appellant in person.
Sh. Mahender Sharma, Ld counsel for the respondent through VC.

Arguments heard on the appeal.

The appellant who is concerned about the second floor of the property has challenged the demolition order dated 08.11.2021 on several grounds including that the second floor of the property is old and occupied and is in existing since 08.02.2007.

The appellant was directed to produce the original sale deed. Same has been produced today.

The appellant on 15.12.2006 purchased three room set on the second floor of the property bearing no. 2/144, Geeta Colony, Delhi and as per the inspection report and the status report filed by the respondent, there are three rooms in the property apart from toilet, kitchen and fiber sheet covering the open space. Though, there is no sanctioned building plan of the property, but admittedly, the construction existing prior to 08.02.2007 on the second floor is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. The impugned order is kept in abeyance for

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the second floor only till this Act is in force and the MCD is at liberty to take action against the other floors of the property. The respondent is also at liberty to take action once the Act ceases to be in force. 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
17.12.2025

A.No. 143/22

17.12.2025

Present : Ms. Gayatri, Ld proxy counsel for the appellant joined through VC.
Sh. Ashutosh Gupta , Ld counsel for the respondent.
Sh. Pratyush Sharma and Sh. Binish Kumar, Ld. counsel for the intervener.

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

In the interest of justice one last and final opportunity is granted to the appellant to address the arguments in the matter. It is made clear that no further opportunity shall be granted on the next date of hearing.

Put up for arguments on **15.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 319/22

17.12.2025

Present : None for the appellant.

Sh. V.K. Aggarwal, 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 **22.05.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

17.12.2025

A.No. 709/22

17.12.2025

Present : Ms. Salevino Chale, Ld. Proxy counsel for Ms. Risha Mittal, counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Notice received back duly served upon Ms. Nirupa Berry in terms of the order dated 04.04.2025. She is not present despite service.

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

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 **09.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 63/24

17.12.2025

Present : None for the appellant.
Sh. V.K. Aggarwal, 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 **10.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 112/24

17.12.2025

Present : Sh. Harjit Narang, Ld counsel for the appellant along with appellant.
Sh. Ashutosh Gupta and Sh. Nishant Rohilla, Ld counsels for the respondent.

Part arguments heard.

Ld. counsel for the appellant seeks one more opportunity to show that the construction as existing on the third floor as on date is also protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

At request, put up for further arguments on **03.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 410/22

17.12.2025

Present : Ms. Samiksha, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta and Sh. Nishant Rohilla, Ld counsels
for the respondent.

An adjournment is sought on behalf of the appellant as
main counsel is busy before some other court.

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 **20.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 640/24

Nathu Ram Nathu Ram Yadav vs. MCD

17.12.2025

Present : Sh. Rahul Tyagi and Sh. Vivek, Ld counsel for the appellant along with appellant.
None for the respondent.

Written arguments filed on behalf of the appellant. Copy placed on record.

Arguments heard.

The show cause notice dated 28.03.2024 and demolition order dated 22.05.2024 have been challenged on the ground that same were never served upon the appellant. Record shows that the show cause notice was replied by the son of the appellant on 12.04.2024 and same is also recorded in the office notes that the reply has been received and handed over to JE concerned on 29.04.2024.

However, the demolition order dated 22.05.2024 records that neither any reply has been submitted nor unauthorized construction has been demolished.

Despite office noting that the reply has been received and handed over to JE concerned, the same was not considered by the AE before passing the impugned order. In these facts, the demolition order dated 22.05.2024 is set aside with directions to the respondents to pass a

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speaking order after considering the reply submitted by the son of appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **12.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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
17.12.2025

A.No. 647/24

17.12.2025

Present : Sh. Ajay Kumar and Sh. A.K. Nigam, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Arguments heard partly

Put up for further arguments on **13.01.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 783/24
Kusum Kasana Vs. MCD

17.12.2025

Present : Sh. Nitin Kasana, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for the appellant has filed a receipt stating that misuser charges have already been deposited as per the status report.

Copy of the said receipt supplied.

In view of the same, the respondent is directed to deseal property in question within 2 weeks from today and same shall be used only for the purposes permissible under MPD-2021.

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
17.12.2025

A.No. 793/24

17.12.2025

Present : Sh. Gurpreet Singh, Ld counsel for the appellant.
Sh. V.K. Aggarwal , Ld counsel for the respondent.

At request of Id. counsel for the appellant, put up for arguments on **03.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 829/24 & 1000/24

17.12.2025

Present : None for the appellant.
Sh. V.K. Aggarwal and Sh. Madan Sagar, Ld counsel for the respondent.
Mohd. Rashid, Ld. counsel for the intervener.

An application under Order 1 rule 10 CPC filed on behalf of the intervener. Copy supplied.

It is stated by the intervenor that seal has been tampered by the appellant and the property is being used for dwelling purposes. The MCD/respondent is directed to verify and reseal the property and to file the status report in this regard on the next date of hearing.

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

No adverse order is being passed today.

Put up for arguments on **09.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 934/24

17.12.2025

Present : Ms. Solanki Dass, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel un-available today due to ill-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 **06.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 997/24

17.12.2025

Present : Sh. K.N. Singh and Sh. Prabhnoor Singh, Ld counsel for the appellant along with AR.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An application under Order 1 Rule 10 CPC filed by the appellant to implead Ms. Rupal Dalal is pending.

Issue notice of this application to the proposed respondent for **11.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 1085/24

17.12.2025

Present : Sh. Aditya Chaudhary, Ld. proxy counsel for the appellant.

Sh. Raujas Sharma, Ld. Proxy counsel for Sh. Ajay Gaur, 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.

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 **14.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 1090/24

17.12.2025

Present : Sh. Husband as well son of some of the appellants in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellants 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 **22.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 84/25

17.12.2025

Present : Appellant in person.
Sh. Atul Tanwar, Ld counsel for the respondent through
VC.

An adjournment is sought on behalf of the appellant as main counsel is not 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 **10.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 250/25 & 251/25
Kamlesh Vs. MCD

17.12.2025

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

As far as the demolition appeal no. 251/25 challenging the demolition order dated 21.05.2020 is concerned, the show cause notice dated 03.03.2020 as per record was served personally on 10.07.2020. The demolition order was passed prior to service of show cause notice. As per letter dated 16.06.2020, the show cause notice was sent through speed post, but neither there is any postal receipt nor track consignment report nor the particulars of speed post receipts are mentioned. The service of show cause notice was later in date than the demolition order passed on 21.05.2020.

In these facts, the demolition order dated 21.05.2020 is set aside with directions to the respondents to pass a speaking order after considering the reply, if any, submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **12.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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So far as the sealing appeal bearing no. 250/25 is concerned, the sealing order was passed after four years after the date of demolition order. Further, there is tracking report to the effect that the show cause notice was delivered to the addressee, but there is no postal receipt to ascertain as to who was the addressee. The show cause notice was issued in the name of Mahender Singh, a tenant of the appellant and there is no material on record to show that it was served upon the appellant.

In these facts, the sealing order is set aside with directions to the respondents to pass a speaking order after considering the reply, if any, submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **12.01.2026** at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The respondent is directed to deseal the property of the appellant within 2 weeks from today.

Both the aforesaid appeal 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
17.12.2025

A.No. 348/25

17.12.2025

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Fresh vakalatnama along with an application under Order VII rule 14 CPC with proposed documents filed by the appellant. Copy supplied.

The copy supplied to the counsel for the respondent is not legible. Let the legible copy be supplied.

Without prejudice to the rights of the respondent, the documents are taken on record. The application stands disposed of. Let the documents be verified.

At request, put up for arguments on **08.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 435/25

17.12.2025

Present : Sh. Naveen Kumar, Ld counsel for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

At request, put up for arguments on **10.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025

A.No. 700/24 & 701/24

17.12.2025

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

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
17.12.2025