

A.No. 859/25

18.12.2025

Fresh appeal filed. Be checked and registered.

Present : Ms. Deepa and Ms. Neha, Ld. counsels for the appellant.

Submissions heard. File perused.

Neither the sealing order has been filed nor the particulars of the sealing order have been mentioned in the appeal.

Issue notice of interim application(s), if any, 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), if any and appeal on **10.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 860/25

18.12.2025

Fresh appeal filed. Be checked and registered.

Present : Sh. Akshay Bedi, 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 **21.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 02.12.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 862/25

18.12.2025

Present : Ms. Razia Sultan, Sh. Rohit Chauhan and Sh. Rahul Chauhan, Ld. counsels 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 **14.05.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 01.12.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 13/15, 14/15 & 232/25

18.12.2025

Present : Son of the appellant in person.
Sh. Dharamvir Gupta, Id. counsel for the respondent in appeals no. 13/15 & 14/15.
Sh. Ashutosh Gupta , Ld counsel for the respondent in appeal no. 232/25.

An application has been filed by the respondent in appeal no. 232/25 to seek the original record for deciding the application of the appellant seeking reopening of her regularization application.

Vide last order, the appellant was directed to file application for reopening her regularization application. It is stated by the son of the appellant that the appellant has already applied for reopening the regularization application on 22.10.2025.

In view of the same, let the original record be returned to the respondent.

The respondent is directed to reopen the earlier regularization application of the appellant and should not insist to file fresh regularization application.

Put up for arguments/further proceedings on **29.01.2026**.
Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 207/23 & 208/23
Subhash Chand and Ors. Vs. MCD

18.12.2025

Present : Sh. Akshay Dhawan, Ld counsel for the appellant.

Files are taken up today on an applications u/s 151 CPC of early hearing as well as applications seeking withdrawal of the aforesaid appeals filed on behalf of the appellant.

In view of the reason given, the applications seeking early hearing are allowed.

Ld. counsel for the appellant submits that he has instructions from the appellant to withdraw the aforesaid appeals and he may be permitted to withdraw the aforesaid appeals.

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

In view of the statement made by the counsel for the appellant, the applications seeking withdrawal of the aforesaid appeals stand allowed and the aforesaid appeals are dismissed 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
18.12.2025

A.No. 706/14

18.12.2025

Present : Son of the appellant in person.
Sh. Yaman Yadav, Ld. Proxy counsel for the appellant through VC.
Sh. Shreyas Malik, Ld counsel for the intervener.

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

Arguments heard on the application filed by the L.Rs. of intervener for their impleadment. The application of the intervener under Order 1 Rule 10 was dismissed and he was never made party to this appeal. Only limited right to argue was given. Since the intervener himself was not a party, an application under Order XXII Rule 3 CPC to implead his legal heirs is not maintainable. Same is dismissed.

At request, put up for arguments **12.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 172/15 & 173/15
Virender Singh Vs. MCD

18.12.2025

Present : Sh. Dalip Rastogi, Ld. counsel for the appellant.
None for the respondent.

None has appeared for the respondent despite calls and awaiting till 12.40 p.m. which is the second call.

Both the appeal are of the year 2015.

Arguments heard. File perused.

The appellant, who is concerned about property No. C-427, 100 Foota Road, Chajjupur, Shahdrara has challenged the sealing order dated 12.03.2015 and the demolition order dated 27.05.2013 primarily on the ground that neither the show cause notices of these two orders nor the sealing orders were served upon him. It was also stated that composite order for two properties No.C-427 and C-428 which are owned by two different persons, is bad in law.

I perused the record. The show cause notice dated 10.05.2013 prior to demolition order dated 27.05.2013 was served through pasting. There are no witnesses to this pasting nor there are any photograph nor anything is mentioned as to why the notice was pasted or what efforts were made before pasting to serve the notice.

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Further the show cause notice dated 02.03.2015 prior to sealing order was sent to one Narender Kumar by speed post as per speed post receipt available in the office record. How and why this notice was addressed to Mr. Narender is not mentioned. There is no report as far as service of sealing order is concerned.

In these facts, the demolition order dated 27.05.2013 as well as sealing order dated 12.03.2015 are set aside. Both the appeals are allowed and remanded back 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.

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
18.12.2025

A.No. 1089/15

18.12.2025

Present : Daughter-in-law of the appellant in person.
Sh. V.K. Aggarwal, 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.

The matter pertains to the year 2015. However, 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 **27.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 108/24

18.12.2025

Present : Sh. Gourav, 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 has gone out of India.

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 **21.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 100/17 & 281/18

18.12.2025

Present : Appellant in person.

Sh. Ashutosh Gupta and Sh. V.K. Aggarwal, Ld counsels for the respondent along with Ms. Sakshi Shedha, ATP.

Status report filed on behalf of the Senior Town Planner, as per which, the plot of the appellant has been proposed to be approved to be included in the layout plan and the matter has now been referred to Standing Committee, whose meeting is scheduled in January 2026 and there is every likelihood that the proposal to including the plot of the appellant in the layout shall be approved by the Standing Committed.

Copy of the status report supplied.

In-facts, be awaited for the further report of the outcome of the meeting of the Standing Committed, for **11.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 636/17 & 737/17

18.12.2025

Present : Proxy counsel for the appellant.
 Sh. Ravi Ranjan, Ld counsel for the respondent through
 VC.

An adjournment is sought on behalf of the appellant as main counsel is un-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 **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
18.12.2025

A.No. 139/20 : Sushil Kumar Sharma Vs. MCD
A. No. 676/22 : Sushil Kumar Sharma Vs. MCD

18.12.2025

Present : Sh. Rupen Dev Sharma, Ld counsel for the appellant.
Sh. Sahib Gurdeep Singh, Ld. counsel for the respondent
in appeal no. 139/20 through VC and Sh. Dharamvir
Gupta, Ld. counsel for the respondent in appeal no.
676/22 in person.

Arguments heard. Record perused.

In appeal no. 139/20 challenging the sealing order, the respondent filed a status report as directed on 23.07.2025 admitting that the reply to the show cause notice dated 27.06.2019 was received on 04.07.2019 and was received by the Building Department on 09.07.2019. However, the impugned sealing order dated 11.07.2019 records that no such reply was received.

Since, the reply received by the respondent was not considered, the same is sufficient to set aside the sealing order.

Coming to the **demolition appeal no. 676/22**, while condoning the delay in filing the appeal vide order dated 14.03.2024, it was recorded that the respondent has not adduced any proof to show that the show cause notice

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dated 12.06.2019 and the demolition order dated 20.06.2019 were served upon the appellant. Even the MCD record shows that the concerned AE while permitting the service of notice and demolition order through pasting mentioned that the photographs of the pasting should be attached. No such photographs were either taken or attached as the same are not available in the MCD file. The JE concern did not comply with the directions of the AE(B) to take photographs to show that the notice and the demolition order were served by pasting. Further, the order dated 14.03.2024 has not been challenged which records that there is no proof of service show cause notice and demolition order.

In these facts, the demolition order as well as sealing order are set aside and both the appeals are remanded back to the respondent with directions to the respondents to pass a speaking order after considering the reply dated 02.07.2019 submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on **15.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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Both the appeals stand disposed of.

Respondent is directed to deseal the property in question, if lying sealed, within 2 weeks from today.

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
18.12.2025

A.No. 386/22, 387/22 & 60/23

18.12.2025

Present : Ld. Proxy counsel for the appellant in appeal no. 386/22 and 387/22.

Sh. MPS Kasana, Ld counsel for the appellant in appeal no. 60/23 through VC.

Sh. Shubham Kumar, Ld. counsel for the appellant in appeal no. 60/23 in person.

Sh. Ranjeet Pandey, Ld counsel for the respondent in appeal no. 386/22 and 387/22 through VC.

Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal no. 60/23.

An adjournment is sought by Ld. counsel for the respondent in appeal no. 386/22 & 387/22 on the ground that he has been suffering from throat infection and is not in a position to argue.

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

At request, 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
18.12.2025

A.No. 714/22

18.12.2025

Present : Sh. D.K. Sharma, Sh. Vineet Kumar Singh, Sh. Amit Upadhyay, Sh. Arvind Malik, Sh. Bharat Bhushan and Sh. Prakash Srivastava and Sh. Akash Gupta Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Arguments on appeal heard.

Put up for further arguments on **15.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 337/23
Ayaz Mobin Vs. MCD

18.12.2025

Present : Sh. Rakesh Lakra, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. I. Ahmad and Ms. Sana Ansari, Ld. counsel for the applicant /intervener along with intervener.

Ld. counsel for the appellant has placed on record copy of the order dated 11.12.2025 passed by Hon'ble High Court in Contempt Case (C) no. 861/25 filed by the intervener along with status report of the MCD filed in that contempt case.

As per the status report filed by the MCD before the Hon'ble High Court, the demolition proceedings initiated against the subject property have been closed in view of the sanctioned building plan obtained by the appellant.

Ld. counsel for the intervener has disputed this status report.

The Hon'ble High Court also accepted this status report and disposed of the contempt petition with liberty to the intervener to revive the contempt petition subject to outcome of the appeal filed by the appellant no. 357/23. Since, the proceedings initiated against the appellant of this appeal have been closed by the respondent initiated

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vide file no. 502/B/UC/EE(B)-I/CNZ/2021 dated 26.10.2021 and 118/B/UC/EE(B)-I/CNZ/2022 dated 15.03.2022, there is no cause of action left in this appeal, the same 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
18.12.2025

A.No. 357/23

18.12.2025

Present : Sh. I. Ahmad and Ms. Sana Ansari, Ld. Proxy counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Rakesh Lakra, Ld. counsel for the respondent no. 2 to 5.

An adjournment is sought on behalf of the appellant as main counsel is not available today due to 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 **29.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 524/23

18.12.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ranjeet Pandey, Ld counsel for the respondent through VC.
Sh. Rajiv Ahuja, Ld. counsel for the intervener through VC.

An adjournment is sought by Ld. counsel for the respondent/MCD on the ground that he has been suffering from throat infection and is not in a position to argue.

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

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
18.12.2025

A.No. 803/23
Pinky Rani Vs. MCD

18.12.2025

Present : Ms. Shachi Jain Ld counsel for the appellant.
Sh. Atul Kumar, Ld counsel for the respondent joined through VC.

Arguments heard. File perused.

Record shows that appellant gave reply to the show cause notice which was received by the respondent on 03.10.2023, but the reply of the appellant is not available in the office record.

The demolition order dated 24.11.2023 records that the appellant neither submitted reply nor demolished the unauthorized construction nor filed for regularization of construction.

The status report dated 17.05.2024 filed along with reply to the application seeking condonation of delay records that common reply was received from several occupants including the appellant, but found not satisfactory. There is apparent contradiction in this status report as compared to the demolition order.

The reply of the appellant filed along with appeal as Annexure-D on running page no. 36 is not there in the office record which also bears the receiving stamp of the EE(B), Shahdara, received on 03.10.2023.

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In these facts, the demolition order dated 24.11.2023 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 30.09.2023 submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 08.01.2026 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
18.12.2025

A.No. 367/24

18.12.2025

Present : Sh. Jaffar Abass, Ld counsel for the appellant.

None for the respondent.

An application of the appellant under Section 151 CPC to amend the appeal only in respect of giving up the relief challenging the sealing order has been filed.

Submissions heard. Application perused.

The appellant in this appeal has challenged the demolition as well as sealing order. Since, only one order can be challenged in one appeal, the request is to give up the relief qua sealing order. The application is formal and is allowed and the relief sought against sealing order stands deleted. Amended appeal is taken on record.

Along with proposed amended appeal, fresh documents have been filed, which cannot be permitted as only amendment sought and allowed was to give up a relief.

At request, put up for arguments on appeal 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
18.12.2025

A.No. 630/24

18.12.2025

Present : Sh. Jaffar Abass, Ld counsel for the appellant.
Sh. Abhinav Jain, Ld. Proxy for Ms. Mehak Arora, for the respondent through VC.

An application of the appellant under Order I rule 10 CPC to implead four more respondent and another application to place on record the additional documents are pending. Ld. counsel for the appellant seeks time to argue the application under Order I rule 10 CPC which was filed by the previous counsel.

Ld. counsel for the respondent seeks time to file reply to the other application.

Put up for arguments on both the applications 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
18.12.2025

A.No. 676/24, 688/24 & 691/24

18.12.2025

Present : None for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for respondent with
Ms. Mehvish Advocate present in the court.

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

No adverse order is being passed today.

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
18.12.2025

At this stage, Sh. Gaoraang Ranjan, Id counsel for the appellant has appeared and is apprised about the today's order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 760/24, 972/24, 973/24, 974/24, 975/24, 976/24 & 977/24

18.12.2025

Present : Sh. Charanjeet Singh, Ld proxy counsel for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for respondent joined
through VC.

An adjournment is sought on behalf of the appellant as main counsel is not available today due to ill health and he is also having LLM examination tomorrow.

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

Put up 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
18.12.2025

A.No. 943/24

18.12.2025

Present : Sh. D.V. Khatri and Sh. S.S. Khatri, Ld counsels for the appellant.
None for the respondent.

Arguments advance by the ld. counsel for the appellant.
None has appeared for the respondent despite repeated calls since morning. It is already 12.57 pm.
Put up for further arguments on **08.05.2026**.
Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 968/24

18.12.2025

Present : Sh. Hemant, Ld counsel for the appellant through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant on the ground that he has recently been engaged and he seeks some time to inspect the record and also to file vakalantnama.

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 **29.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 988/24

18.12.2025

Present : Ms. Manjeet Kaur, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Nishant Pathak, 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.

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An adjournment is sought on behalf of the appellant to advance arguments on the appeal 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 appeal on **12.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

A.No. 135/25 & 136/25

18.12.2025

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Mehvish, Ld. Proxy counsel for the respondent.

An adjournment is sought on behalf of the appellant as he is not ready with the arguments 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 **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
18.12.2025

A.No. 518/25 & 519/25

18.12.2025

Present : Sh. Suresh Chaudhary, Ld counsel for the appellant.
Sh. ASG N Venkataraman, Ld. 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 **15.05.2026**.

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. However, it is made clear that no encroachment on the public land is protected. The appellants are directed not to raise any construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
18.12.2025

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

18.12.2025

Present : Sh. Sunil Chauhan, Ld counsel for the appellant through VC.

Appellant in person.

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.

Arguments heard.

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
18.12.2025

A.No. 806/25
Subodh Jain Vs. DDA

18.12.2025

Present : Ms. Himani Kalra and Sh. Shivam Singh Baghel, Ld counsels for the appellant.
Sh. Sanjay Sharma and Sh. S.G. Asthana, Ld counsels for the respondent.

Arguments heard at length. Record perused.

Rejoinder to the reply filed. Copy supplied.

Without going into the merits of the appeal, the impugned demolition order dated 28.08.2024 is liable to be set aside as it is a non-speaking order without dealing with the contentions raised by the appellant in his reply dated 05.08.2024 to the show cause notice dated 01.08.2024.

The Hon'ble Division Bench of Hon'ble High Court in para 5 of the judgment dated 13.03.2024 passed in W.P.(C) 3636/24 tilted as '**Real Steel Tyre Company Vs The Principal Commissioner of GST**' has observed that the order saying reply was unsatisfactory ex-facie shows that there was no application of mind to the reply of the petitioner and without considering the reply of the concerned person. In view of this law even the sealing order is not sustainable.

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It is also relevant to note that no opportunity of personal hearing was provided to the appellant as per the office record. Therefore, the demolition order dated 28.08.2024 being a non-speaking order is set aside and the matter is remanded back to the respondent/DDA with directions to the respondents to pass a speaking order after considering the reply dated 05.08.2024 submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Dy. Director/LM, South-West Zone, Dwarka Sector-06, Near Post Office, LSC Market, New Delhi-110075 on **12.01.2026** at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The 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
18.12.2025

A.No. 325/15

18.12.2025

Present : Sh. Sunil Sachdeva, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld. Proxy counsel for Sh. H.R.
Aggarwal, 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
18.12.2025