

A.No. 884/25 & 885/25

07.01.2026

Fresh Appeals received. It be checked and registered.

Present : Sh. Y.K. Sharma, Ld counsel for the appellant along with 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 **23.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 3/26

07.01.2026

Fresh Appeal received. It be checked and registered.

Present : Sh. Ankit Verma, Ld. Legal Aid Counsel for the appellant
along with appellant.

Submissions heard. File perused.

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

The Executive Engineer (B) is directed to ensure the
presence of the concerned AE(B), who shall appear in
person along with the record of the proceedings, status
report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal
on **09.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 4/26 & 5/26

07.01.2026

Fresh Appeal received. It be checked and registered.

Present : Sh. Manoj Kumar, Ld counsel for the appellant along with 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 **20.01.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 117/25

07.01.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant through VC.
Sh. Nandan Goel, Ld. counsel for the respondent through VC.

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

Heard. Application perused.

Let notice of this application be issued to the respondent for 02.02.2026.

Sh. Nandal Goel, appearing on behalf of the respondent through VC accepts the notice of the application.

Put up for consideration on this application on **02.02.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 37/15

07.01.2026

Present : Sh. Ankit Verma, Ld. Legal Aid Counsel for the appellant
along with appellant.
None for the respondent.

Authority letter of DLSA filed on behalf of the appellant.
Ld. counsel for the appellant has filed an application to
summon the record from BSES and Delhi Jal Board.

These documents do not relate to the property of the
appellant and will only show that fresh electricity and
water connection were provided by BSES and Delhi Jal
Board in Baljit Nagar after 01.01.2015. The same in no
manner will support the appeal. The application is
dismissed.

Put up for arguments on appeal 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
07.01.2026

A.No. 223/15

07.01.2026

Present : Ms. Aditi Aggarwal, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Arguments heard at length.

Put up for orders on **02.02.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 410/15, 285/16, 1056/17, 1067/17, 1068/17, 13/18 & 14/18

07.01.2026

Present : Sh. Praveen Pahuja, Ld. counsel for the appellant along with appellant in person in appeal no. 410/15.
Sh. Rishabh Jain, Ld. counsel for the appellant in appeal no. 285/16
Sh. B.S. Tiwari, Ld counsel for the appellant in appeals no. 1056/17, 1067/17, 1068/17, 13/18 & 14/18.
Sh. Dharamvir Gupta, Ld. counsel for the respondents in appeal no. 1056/17.
Sh. Jai Gupta, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent in appeal no. 410/15.
Proxy counsel for Sh. Rashmi Srivastava, Ld. counsel for DDA in appeal no. 410/15.
Sh. K.K. Arora, Ld counsel for the respondent in appeal no. 14/18 through VC.
Sh. R.K. Kashyap, Ld. counsel for the respondent in appeal no. 13/18 joined through VC.

An adjournment is sought on behalf of the respondent in appeal no. 410/15 on the ground that main counsel Sh. Ashutosh Gupta is out of town.

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

Put up for arguments on **21.01.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 77/16

07.01.2026

Present : Sh. Jaspreet Kaur, Ld counsel for the appellant through
VC.
Appellant in person.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments heard at length.

Put up for orders 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
07.01.2026

A.No. 605/16

07.01.2026

Present : Sh. Ram Gupta, Ld counsel for the appellant along with appellant
Sh. R.K. Kashyap, Ld counsel for the respondent through VC.

Further arguments heard.

I have seen the CD placed on record by the appellant pertaining to marriage ceremony of his son.

The portion of the front balcony of the property shown in the video, which the appellant claim was in existence at the time of marriage appears to be added later on in the video by editing or fabrication.

Appellant seeks time to clarify on this aspect.

Put up for further arguments on **17.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 194/17

07.01.2026

Present : None for the appellant.
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,
counsel for the respondent.
Sh. Sushant Nanda, 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/intervener is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

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

No adverse order is being passed today.

An adjournment is also sought on behalf of the respondent as main counsel Sh. Ashutosh Gupta is out of town.

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

Put up for arguments on **26.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 299/17

07.01.2026

Present : Sh. Sushant Nanda, Ld counsel for the appellant.
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,
counsel for the respondent.

An adjournment is sought on behalf of the respondent as
main counsel Sh. Ashutosh Gupta is out of town.

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

Put up for arguments on **26.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 228/17

07.01.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Kanta Chaudhayr, Ld counsel for the respondent.

Part arguments heard from Ld. counsel for both the parties at length.

At request, put up for further arguments on **03.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 229/17, 230/17, 231/17, 232/17, 373/23, 374/23, 375/23 & 376/23
07.01.2026

Present : Sh. Jaffar Abbas and Sh. Himanshu Gupta, Ld counsels
for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal no. 229/17 and 230/17.
Ms. Kanta Chaudhary, Ld. counsel for the respondent in
appeal no. 231/17 and 232/17.
Ms. Praveen Sharma, Ld. counsel for the respondent in
appeal no. 230/17.
Sh. Vijay Tyagi, Ld. counsel for the MCD Advocate for
MCD in Appeal no. 373 to 376/2023

It is stated for the appellant that Sh. Bhgawan Dass, the
appellant of appeal no. 231/17 and 376/23 has passed
away and some time is needed to file an application to
bring on record his legal heirs. These two appeals are
kept for further proceedings for the next date of hearing.

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

Though the grounds seeking condonation of delay are
flimsy yet considering that three appeals pending since
2017 where service of sealing order is disputed and other
three appeals are pending since 2023 where service of
demolition order is disputed, the delay the filing the
appeals is condoned subject to cost of Rs. 5000/- each
on each appellant in each appeal.

Put up for arguments on appeal on **11.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 822/17

07.01.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.

Ms. Babita Sharma, Ld counsel for the respondent.

1. Arguments heard at length.
2. The demolition order dated 24.07.2017 claiming unauthorized construction of covering the back courtyard and covering of front courtyard at ground floor of property No.86-A, Pkt-A, Dilshad Garden, New Delhi is under challenged. It is stated for the appellant that the front courtyard temporary shed has already been demolished by the respondent and as far as back courtyard coverage is concerned, the same is old and occupied since 01.04.2002 as duly recorded in the rectification order passed under section 176 of the DMC Act and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011, The respondent failed to consider this rectification order and passed the demolition order noting that the reply is not satisfactory and therefore, should be set aside.

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3. Ld. counsel for the respondent on the other hand argued that the appellant unauthorizedly covered the back courtyard which is not permissible under Building Bye-laws and therefore, cannot be protected even if old and occupied. It was also stated that the rectification order is yet to be verified and cannot be considered.
4. I have perused the record. The appellant has filed the photocopy of the certified copy of this rectification order. The certified copy was shown during arguments. It shows that the back courtyard included in the rateable value of the property w.e.f. 01.04.2002 and is in existence prior to 08.02.2007. The property tax receipt of 2006-07 has also been filed. This document establishes existence of covered back courtyard much prior to the cut off dated of 08.02.2007.
5. In these facts the same is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act. However, the impugned demolition order is upheld with liberty to the respondent to take action once National Capital Territory of Delhi Laws (Special Provision) Second

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Amendment Act, 2011 ceases to be in force. It is specified that appellant shall not raise any fresh construction in the front courtyard which has been demolished by the respondent.

6. Appeals stand disposed of.
7. 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
07.01.2026

A.No. 863/17

07.01.2026

Present : Sh. Rajiv Singh Chauhan and Sh. Kumar Sambhav, Ld
counsels for the appellant along with appellant.
Ms. Vasu Singh, Ld. counsel for the respondent through
VC.

Arguments heard at length.

Put up for orders on **19.01.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 469/18

Des Raj Dhingra Vs MCD

07.01.2026

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

Arguments heard on the appeal.

The rejection of the regularization application vide order dated 07.03.2018 is under challenge in this appeal.

As per record, the matter was remanded back in appeal No.49/16 vide order dated 12.04.17 with directions to the respondent to reconsider the regularization application of the appellant. Subsequent there to an application was filed by the appellant and vide order dated 08.11.17 status report was called from the respondent in respect of this regularization application for 08.03.2018. A day before that the impugned rejection order was passed mentioning 8 deficiencies. These deficiencies, however, were never informed to the appellant before passing the order through any communication /invalid notice. The office record does show any communication sent to the appellant before 07.03.18 to comply with these deficiencies.

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In these facts it appears that the impugned order was passed in haste only to file status report in the court where the matter was listed on 08.03.2018.

The aspect of delay in filing this appeal is also to be considered. Present appeal was filed on 11.07.18 as it is stated for the appellant that the impugned order was received only in July 2018. It was further stated that the term of the presiding officer had expired on 08.03.18 and the matter was adjourned to 02.08.18. The appellant in between received the impugned order in July 2018 and submitted representation on 06.07.18.

On the other hand it is claimed for the respondent that no cogent reason has been mentioned for not challenging the impugned order in time and the record of order dated 08.03.18 should be looked into to ascertain whether any status report was filed by the respondent or not.

Instead of going into the record of appeal No.49/16, I have looked into the office record of the respondent and there is no document to show that the impugned order was sent or served upon the appellant after 07.03.2018 which respondent is required to serve as per law.

In these facts the delay in filing the appeal is also condoned.

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Mater is remanded back with the directions to the respondent to reopen the regularization application of the appellant on the application to be moved by the appellant within two weeks from today and decide the same within 8 weeks from the date of reopening after giving opportunity to the appellant to file documents and personal hearing.

The impugned order is set aside. The appellant shall appear before the Quasi Judicial Authority on 20.01.2026 at 2.00 pm and the speaking order be passed within 8 weeks of conclusion of the hearing. Appeal stands 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
07.01.2026

A.No. 372/19 & 398/19

07.01.2026

Present : Sh. Dalip Rastogi, Id. counsel for the appellants no. 1 to 5, 9, 12, 16 and 17.
Sh. Abhinav Tyagi, Id. counsel for the appellants no. 6, 7, 8, 9, 13, 14, 15 and 18 through VC and Mohd. Aliya, Proxy counsel in person.
None for the appellants no. 10 and 11.
Sh. Sanjay Sethi, Ld counsel for the respondent no. 1 in appeal no. 372/19 through VC.
Sh. Dharamvir Gupta, Ld. counsel for the respondent no. 1/MCD in appeal no. 398/19.
Dr. Gaurav Manuja and Sh. Anand M. Mishra, Ld. counsel for the respondent no. 2 in appeal no. 372/19.

Respondent no. 2 was made a party to the appeal no. 372/19 vide order dated 31.10.2023 considering that respondent no. 2 is necessary party for complete adjudication of the matter.

I am of the opinion that the respondent no. 2 of appeal no. 372/19 is also a necessary party of appeal no. 398/19 for the same reason as recorded in the order dated 31.10.2023 which has not been challenged by any concern and therefore, the respondent no. 2 is also impleaded as a respondent in appeal no. 398/19.

Let the amended memo of parties be filed by the respondent no. 2.

Complete paper-book be supplied to the counsel for the respondent no. 2 within 2 weeks from today.

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As far as the delay in filing the appeals is concerned, without going into the merits of the application and the reply and without prejudice to the rights of the parties, with an endeavour to decide these appeals pending since 2019 and not to condemn the parties being unheard, the delay is condoned.

Copy of the reply already filed in appeal no. 372/19 by the respondent no. 2 and copy of the reply if intended to be filed by the respondent no. 2 in another appeal, be supplied to the counsel for the appellants, if not already supplied in appeal no. 372/19, within four weeks from today.

Written arguments if any filed by the appellants be also supplied to the counsel for the respondents.

Put up for arguments on both the appeals on **24.03.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 551/19
Dr.S.K. Singh Vs. MCD

07.01.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Atul Tanwar and Sh. H.R. Aggarwal, Ld counsels for
the respondent through VC.

Ld. counsel for the appellant on instructions submits that
as the property has already been demolished by the
DMRC, the appellant does not want to pursue this appeal
and the same may be dismissed as withdrawn being
infructuous.

In view of the submissions made by the Id. counsel for
the appellant, the aforesaid appeal stands dismissed
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
07.01.2026

A.No. 530/22

07.01.2026

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

Matter was remanded back by the Ld. Appellate Court on 30.03.2024 and since then, none has appeared for the respondent.

Issue notice to the respondent/MCD through concerned Chief Law officer for the next date of hearing for engagement of panel counsel in this appeal.

Put up for arguments on interim application(s), if any, and appeal on **23.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 168/23 & 408/25

07.01.2026

Present : Sh. Dalip Rastogi, Ms. Prachi Gupta and Ms. Shivani, Ld
counsels for the appellant along with appellant.
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,
counsel for the respondent.
Sh. Rahul Mehra, Ld. counsel for the intervener.

An adjournment is sought on behalf of the respondent on
the ground that main counsel Sh. Ashutosh Gupta is out
of station.

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 **21.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 487/23 & 488/23
Bijender Singh & Anr. Vs. MCD

07.01.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ranjit Pandey , Ld counsel for the respondent.

1. Arguments heard. Record perused.
2. The appellant has challenged the demolition order dated 31.05.2022 in appeal No. 488/23 and the sealing order dated 01.07.2022 in appeal No.487/23 passed in respect of premises No.544/1, Chajjupur Main, 100 Foota Road, Delbi-110032 on the ground that the notice of show cause in the sealing appeal was never served upon him nor it was replied yet the sealing order records that the reply was received and found unsatisfactory.
3. In the demolition case, the demolition order was challenged on the ground that the property of the appellant bears plot No.4 and has no concern with property No.544/1 and therefore, the demolition order is liable to be set-aside.
4. Ld. counsel for the appellant argued that there exist another property No.544/1 which might have been booked but instant action was taken against the property of the appellant which bears a different number and was wrongly sealed.

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5. Ld. counsel for the respondent on the other argued that sealing order as well as the demolition order were sent through speed post and there is presumption of service as the same was not received back. Further it was argued that the property of the appellant also bears No.544/1 and was rightly booked and sealed and there is no ambiguity in respect of the identity of the property and therefore appeal should be dismissed.
6. I have perused the record. As far as the sealing order dated 01.07.2022 is concerned, the show cause notice was sent to one Neeraj Goel at property No.544/1. The track consignment report shows that the same return back with the report insufficient address. It clearly reflects that neither the show cause notice dated 20.06.2022 nor the sealing order dated 01.07.22 were addressed to the appellant or were served upon the appellants. The appellants before me are Mr. Vijender Singh and his brother Dharmender Singh and are not related to the addressee Neeraj Goel. The MCD has failed to establish any connection between Neeraj Goel and the appellants or as to why the show cause notice and the sealing order were sent to Mr. Neeraj Goel which

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in any case returned unserved with the report insufficient address. For all these reasons the impugned sealing order is set aside as neither the show cause notice nor the sealing order was served upon the appellants.

7. Coming to the demolition case, the ownership document is of the appellant show that the property Number is plot No.4 Village Sikdar Pur, Chajjupur Colony, Shahdara. Even the house tax receipt are of plot house No.4, Khasra No.141, Chajjupur, Shahdara. The electricity connection is also at house No.4, Khasra No.141. These documents clearly shows that the property of the appellant does not bear the number 544/1.
8. Further the photographs filed by the appellant at page No.63 of the appeal show that there exist property No.544/1 in the vicinity. The status report filed by the respondent alongwith rough sketch are also relevant. In the status report dated 07.05.2024 the property of the property has been shown as property No.544/1 with adjoining property on the west direction as 543 and in the east direction as 544/2 whereas in the FIR and the show cause notice the adjoining properties have been shown on the west side as 544. The respondent itself is not clear about the property number.

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9. As per status report dated 19.10.2023 the respondent admits that there exists one more property bearing No.544/1 owned by one Ankit Garg. It is also important to note even in this case the show cause notice and the demolition order were sent through speed post to one Neeraj Goel and not to the appellants. It appears that the respondent did not serve the appellants. However, in this case the show cause notice was replied by one Pushpender but in the demolition order it is simply stated that the reply found was not satisfactory.
10. In view of this discussion, both the appeals are allowed and the impugned sealing order dated 01.07.22 and the demolition order dated 31.05.2022 are set aside. The respondent is directed to desal the property of the appellant within 72 hours failing which the appellant shall be at liberty to remove the seal. The respondent shall be at liberty to issue fresh show cause notice if any required against the property of the appellant.
11. 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/07.01.2026

A.No. 523/23

07.01.2026

Present : Sh. Prabhas Giri, Ld counsel for the appellant.
None for the respondent.

Arguments heard on the interim application.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 06.08.2018. 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.

Put up for arguments on appeal on **15.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 672/23 & 673/23

07.01.2026

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

Part arguments heard.

At request, put up for further arguments on **04.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 838/23
Smt. Sanyogita & Anr. Vs. MCD

07.01.2026

Present : None for the appellant.
Sh. Chetan Hasija, 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/07.01.26

At 2.55 pm

Present : None for the appellant.
Sh. Chetan Hasija, 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
previous date of hearing i.e. 04.08.2025 as well.
It is 2.55 PM. It appears that appellant is not interested
in prosecuting this appeal. The present appeal is
dismissed in default.
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
07.01.2026

A.No. 2/24

07.01.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Laiba, Ld. Proxy counsel for the respondent.
Sh. Dinesh Khatri and Sh. Abhishek Singh, Ld counsels
for the intervener.

An application under Order 22 rule 3 CPC to implead the L.Rs of the deceased appellant is pending who passed away on 17.02.2025. The application was filed on 08.07.2025. Since cause of action survives, the application is allowed and the L.Rs are impleaded in the matter.

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

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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.

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

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 **15.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 13/24
Poonam Singh Vs. MCD

07.01.2026

Present : Sh. Tushar Yadav and Sh. Rohamn Singh , Ld counsel
for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments heard. File perused.

The demolition order dated 22.12.2023 is under challenge on several grounds including the reply of the appellant given to show cause notice was not considered. The show cause notice dated 30.10.2023 as per the status report filed in this case was served on 06.11.2023. The same was replied on 09.11.2023 and thereafter on 20.11.2023, but the impugned demolition order records that no reply was received.

In these facts, the demolition order dated 22.12.2023 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 09.11.2023 and 20.11.2023 submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 29.01.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

...contd.2

: 2 :

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
07.01.2026

A.No. 271/24

07.01.2026

Present : Sh. Manoj Kumar , Ld counsel for the appellant.
Sh. Jai Gupta, Ld. Proxy counsel for the respondent.
Ms. Harshi Gaur, Id. counsel for the intervener.

Fresh memo of appearance filed on behalf of the appellant and time sought to argue.

Intervener has filed two applications (i) under Order I rule 10 CPC and (ii) u/s 340 Cr.P.C. Copy supplied.

Put up for reply and arguments on the applications under Order I rule 10 CPC on **19.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 494/24

07.01.2026

Present : Sh. Sandeep Khatri, Ld counsel for the appellant through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Sanchit Sehrawat, Ld. counsel for the intervener through VC.

An application under Order I rule 10 CPC filed by one intervener Suresh Kumar. Copy supplied to the Id. counsel for the MCD and copy for appellant is placed on record. Same be collected.

Reply, if any, to this application be filed within 6 weeks from today with advance copy to the opposite party.

Put up for reply and arguments on this application under Order I rule 10 CPC on **17.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 506/24

07.01.2026

Present : Sh. P. Mohan, Ld. Proxy counsel for the appellant.
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,
counsel for the respondent.

An adjournment is sought on behalf of both the parties as
main counsel are not available today.

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

At request, put up for arguments on **20.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 1048/24 & 1049/24

07.01.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent through
VC.
None is present for the intervener.

An application under Order I rule 10 CPC filed by one
Lalit Kumar in appeal no. 1048/24. Today, none has
appeared for the intervener.

Intervener is directed to supply the copy of this
application to the appellant and the respondent within a
week on acknowledgement. Reply, if any, to this
application be filed within 8 weeks with advance copy to
the opposite side.

Put up for reply and arguments on this application on
21.07.2026.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 1056/24 & 114/25

07.01.2026

Present : Sh. Rajesh Mittal, Ld counsel for the appellant along with appellant.
Sh. Rajas Sharma, Ld. Proxy counsel for Sh. Ajay Gaur, counsel the respondent in appeal no. 1056/24 through VC.
Sh. Nandan Goel, Ld. counsel for the respondent in appeal no. 114/25 through VC.

An adjournment is sought on behalf of the respondent/MCD as mother of main counsel Sh. Ajay Gaur has expired.

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 **13.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.01.2026

A.No. 20/25

07.01.2026

Present : Sh. Narender Kumar Husband of the appellant Seema in person.
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta, counsel the respondent.

Husband of the appellant submits on instructions of his wife that as the property has already been demolished by the MCD, the appellant does not want to pursue this appeal and he may be permitted to withdraw the same.

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

In view of the submissions made by the husband of the appellant, the aforesaid appeal stands dismissed as withdrawn 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
07.01.2026