

A.No. 114/26

13.02.2026

Fresh appeal received. It be checked and registered.

Present : Sh. M.K. Pathi and Ms. Neha Dhillon, 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 **23.03.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 27.01.2026. 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
13.02.2026

A.No. 122/26

13.02.2026

Fresh appeal received. It be checked and registered.

Present : None for the appellant.

File perused.

This is an appeal challenging the sanction of lift granted vide order dated 23.06.2025.

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

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 **15.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

At this stage, Sh. Rishank Gola, Advocate for the appellant has appeared and he is apprised about today's order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 474/25 : Rachna Badhwar and Ors. Vs. MCD

A.No. 475/25 : Anju Badhwar and Ors. Vs. MCD

13.02.2026

Present : Sh. Anmol Sethi, Ld counsel for the appellant.
Sh. Rohan, Ld. Proxy counsel for Ms. Vasu Singh,
counsel for the respondent.

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

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

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 counsel for the appellants, the aforesaid appeals are disposed off as withdrawn.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 533/25

13.02.2026

Present : Sh. Areeb Amanullah, Ld counsel for the appellant through VC.

Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent.

Some more time is sought on behalf of the respondent to verify the factum of deposit of misuser charges by the appellant as main counsel Sh. Ashutosh Gupta is out of town in order to attend a marriage in the family.

Let the same be done positively on the next date of hearing.

At request, put up for further proceedings on **18.02.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 557/25

13.02.2026

Present : Sh. Yuvraj Singh, Ld counsel for the appellant through VC.
Sh. S.M. Pandey, Ld counsel for the proposed intervener.

The aforesaid appeal is against the vacation notice, which is not appealable before this Tribunal.

Ld. counsel seeks some time to amend the appeal. The appellant in the prayer though has not mentioned the particulars of the demolition order but has also prayed to set aside the alleged demolition order.

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 **09.03.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 607/25

13.02.2026

Present : Sh. Gaurav Sharma, 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 **22.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 671/25

13.02.2026

Present : Sh. Rohit Gupta, Ld counsel for the appellatant along with appellatant.
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent along with Mohd. Asif, AE(B).

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

An adjournment is sought on behalf of the respondent as main counsel Sh. Ashutosh Gupta is out of town in order to attend a marriage in the family.

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 **03.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellatant. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 695/25

13.02.2026

Present : Sh. Manish Kumar, Ld counsel for the appellant through VC.
Sh. Pritish Sabharwal, Ld counsel for the respondent through VC.
Sh. Vikas Kumar, clerk from the MCD.

Status report is filed by the MCD, copy placed on record.

Let the same be collected.

The record has already been submitted.

Ld. counsel for the appellant seeks time to inspect the record and to go through the status report.

At request, put up for arguments on **02.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 711/25 & 712/25

13.02.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellant.
Sh. Subham Bajaj, Ld counsel for the respondent along
with Sh. Sanjeev Kumar, AE(B) Fresh Vakalatnama filed,
same is taken on record

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

Ld. counsel for the appellant seeks time to inspect the
record.

At request, put up for arguments 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
13.02.2026

A.No. 878/25

13.02.2026

Present : Sh. Chandra Bhanu Pratap, Ld counsel for the appellant in person and Ms. Preeti, counsel for the appellant through VC. Fresh Vakalatnama filed, same is taken on record
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh Gupta, counsel the respondent along with Sh. Rajender Meena, AE(B)

Status report is filed by the MCD, copy supplied.

The record has already been produced.

Ld. counsel for the appellant seeks time to inspect the record and to go through the status report.

At request, put up for arguments on **24.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 28/26

13.02.2026

Present : Sh. Armaan Monga, Ld counsel for the appellant through VC.
None for the respondent/MCD.
Sh. Sudhanshu Palo, Ld. counsel for the Parshavanath Group Housing Society through VC. Fresh Vakalatnama filed by his associate, who is present today. Same is taken on record.

An order of Hon'ble High Court dated 10.10.2025 and another dated 29.10.2025 has been filed and it is stated that Mr. Jinesh Chand Jain, who has filed this appeal on behalf of the society, had no authority of the Managing Committee to file this appeal. It is further stated that the present President Mr. Surender Jain has preferred writ petition before the Hon'ble High Court to demolish the unauthorized construction carried out in the common area of the society and the matter is subjudice before the Hon'ble High Court.

On behalf of Mr. Jinesh Chand Jain, it is stated that he is vice-president of the society and the society has already applied for regularization of the said construction and the application is pending.

Let the respondent/MCD file status report in respect of such regularization application, if any filed.

Put up for arguments on appeal on **29.04.2026**.

...contd.2

: 2 :

Interim orders, if any, to continue till the next date of hearing, but this order will not come in the way of any order passed by the Hon'ble High Court or by the Hon'ble Supreme Court of India.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 24/15

13.02.2026

Present : Sh. Prashant Bisht, Ld. Proxy counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent/MCD.
Sh Vasu Purohit, Ld. proxy counsel for the respondents
no. 2 to 4 along with respondent no. 2 Sh. Dharmender in
person.

Ld. proxy counsel for the appellant seeks pass over on
the ground that main counsel is busy in some other court.
An adjournment is also sought on behalf of the
respondents no. 2 to 4 as main counsel has gone to
Jammu due to some family function.

The appeal pertains to the year 2015. However, in the
interest of justice one more opportunity is granted to the
parties to address the arguments in the matter on the
next date of hearing.

At request, put up for arguments on **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
13.02.2026

A.No. 705/17

13.02.2026

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. Pulkit Garg, Ld. Proxy counsel for Ashutosh Gupta,
counsel for the respondent.
Ms. Amisha Grover, Ld. counsel for the intervener
through VC.

Arguments heard on the application seeking condonation of delay of about 425 days in filing the aforesaid appeal. As per the appellant, they were never served with the show cause notice dated 24.05.2016 and demolition order dated 31.05.2016 and came to know about these orders only in a civil litigation pending between the intervener and the appellant in Saket Court and when the vacation notice dated 26.07.2017 was received and partial demolition action was taken on 27.07.2017 and 28.07.2017.

The present appeal was filed on 04.08.2017. Ld. counsel for the intervener has argued that no such action of demolition was taken on these dates and the appellant was well aware about the demolition order and the MCD colluded with appellant and did not take action against the subject property.

...contd.2

: 2 :

At this stage, it will not be appropriate to adjudicate the service of show cause notice and demolition order, but it is sufficient to note that the appellant claims that the copy of the demolition order was received only in a court case between the parties in 2017. With an endeavour to decide the appeals on merits, the delay is condoned subject to deposit a cost of Rs. 3,000/- to be deposited with the Registry.

The applications stand disposed of.

At request, put up for arguments on appeal on **24.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 47/18

13.02.2026

Present : Sh. Divanshu Sehgal and Sh. Chirag Garg, Ld. Proxy counsel for the appellant.
Sh. Simran Auluck, Ld counsel for the respondent through VC.

It is stated for the appellant that the appellant has applied for regularization on 09.02.2026. Let the same be verified and status report in this regard be filed on the next date of hearing.

An adjournment is sought by the counsel for the respondent on the ground that she is travelling and is not having case file with her.

In the interest of justice, one more opportunity is granted to the respondent to address the arguments in the matter. Put up for further proceeding awaiting outcome of the aforesaid regularization application on **28.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 309/20 & 240/22

13.02.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent along with Sh. Subodh Hathwal, AE(B), SSZ.
Sh. Paras Aggarwal, Ld. counsel for the respondent/MCD in appeal no. 240/2022.

Status report is filed by the MCD, copy supplied. As per the status report, the record of demolition action taken on 18.07.2019 has already been submitted and is at running page 8/C of the MCD record.

Ld. counsel for the appellant seeks permission to withdraw her vakalatnama. Let the counsel inform to the appellant in writing about it and then only, she can be permitted to withdraw her vakalatnama.

In the meantime, issue court notice to the appellant for the next date of hearing.

Put up for arguments on **04.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 392/21

13.02.2026

Present : Sh. Akil Rataeeya, Ld counsel for the appellant through VC.
Ms. Shivangi Joshi, Ld counsel for the respondent through VC.
Respondent no. 4 in person.

Part arguments heard.

An adjournment is sought on behalf of the respondent no. 3 and 4 as her counsel is not available today due to bad health.

In the interest of justice one more opportunity is granted to the respondents no. 3 and 4 to address the arguments in the matter.

At request, put up for further arguments on **15.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 101/23

13.02.2026

Present : Sh. Manjeet Singh, Ld counsel for the appellant.
Sh. S. Adil Hussain, Id. counsel for the respondent
through VC.
S.S. Arneja, Ld counsel for the intervener through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Rajender Gupta is un-available today because of demise in his family.

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 **31.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 432/23 & 433/23

13.02.2026

Present : Sh. Pankaj Kumar, Ld counsel for the appellants.
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh
Gupta, counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The regularization application of the appellant is still
pending.

At request, put up for further proceedings awaiting
outcome of the regularization application on **31.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 340/24

13.02.2026

Present : Appellant in person.
Sh. Avishek Kumar, Ld counsel for the respondent
through VC.

An adjournment is sought on behalf of the appellant as
her counsel is not 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 **29.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 407/24, 408/24 & 409/24

13.02.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh
Gupta, counsel for the respondent.
Sh. Ashsih Sharma, Ld. counsel for the intervener.

Ld. counsel for the appellant filed reply to the application
under Order I rule 10 CPC. Copy supplied.

Ld. counsel for the intervener seeks time to argue on his
application.

An adjournment is also sought on behalf of the
respondent as main counsel Sh. Ashutosh Gupta is out of
town in order to attend a marriage in the family.

At request, put up for arguments on **25.03.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 327/25

Rakesh Kumar Vs MCD

13.02.2026

Present : Sh. Kashish Bhardwaj, Ld counsel for the appellant.
Sh. Ankur Sharma, Ld counsel for the respondent through VC.

1. Arguments heard at length.
2. It is submitted by the Ld. counsel for appellant that the entire property of the appellant from ground floor to first and second floor were sealed vide impugned order dated 25.07.2024 only because an FIR has been registered against the appellant for using the property for storing drugs. The entire family of the appellant is on road and therefore, pending trial before the Criminal Court where the guilt of the appellant in the drug case is yet to be established, the property should be desealed as the entire family of the appellant is suffering. Reliance was also placed on the order passed by the Hon'ble High Court in **W.P.(C) No.8583/2023 dated 28.06.2023 tilted as Rajjo Devi Vs MCD.**
3. Ld. counsel for the respondent on the other hand argued that the appellant before filing this appeal

Contd...2/

-2-

approached Hon'ble High Court in W.P.(C) 10886/2024 which was dismissed by the Hon'ble High Court vide order dated 09.08.2024. The Hon'ble High Court in that writ also mentioned the case of Rajjo Devi Vs MCD and did not grant any relief to the appellant and therefore, this appeal is devoid of merits.

4. I have perused the record. The property of the appellant was sealed from ground to top floor in pursuance to the sealing order dated 25.07.2024 because of misuse for drugs trafficking. This order was passed in pursuance to the letter dated 02.05.2024 received from Dy. Commissioner of Police requesting suitable action against drug trafficking in the subject property bearing No.F-249, Aman Vihar Kirari Suleman Nagar, Delhi. The action therefore, was taken not for unauthorized construction but for misuse and the powers to seal for misuse are stated to be because of an order of Hon'ble Supreme Court of India passed in the case of **M.C. Mehta Vs UOI W.P.(C) No.4677/1985 dated 16.02.2006.**
5. The Hon'ble High Court in the writ petition of the appellant held that the respondent MCD has powers

Contd...3/-

to seal under section 345-A of DMC Act in case of misuse of the property by virtue of orders of Hon'ble Supreme Court of India. The Hon'ble High Court also observed that the action of MCD does not depend upon the culpability of the petitioner in the pending trial.

6. In view of this observation of Hon'ble High Court, there is no ground to deseal the entire property.
7. Ld. counsel for the appellant however has stated that since the alleged recovery was made from the ground floor of the property as per FIR No.197/2023, the remaining floors of the property should be desealed considering that the trial in that case will take time and further no recovery was made from the first and second floor of the property and humanitarian approach should be adopted while considering the sufferings of the entire family of the appellant.
8. Ld. counsel for the respondent has opposed this submissions.
9. I have perused the said FIR which clearly records that the recovery of the alleged drugs were made from the ground floor of the property. There are separate stairs to approach the upper floors of the property as submitted by the appellant and the same can be used

Contd...4/-

without resealing the ground floor. The appellant has a family to support and the entire family has been made to suffer because of the sealing of the entire property apart from the ground floor. I am of the considered opinion that ends of justice can be met if the other floors of the property are resealed and the ground floor from where the drugs were allegedly recovered remain sealed.

10. In these facts the respondent is directed to reseal the first and second floor of the property within two weeks from today only if they can be utilized without resealing the ground floor. The seal at ground floor shall remain intact. The appeal is disposed of with these directions.
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
13.02.2026

A.No. 829/25 & 1/26 (M)

13.02.2026

Present : Sh. Kamaljeet Singh and Ms. Lalika, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent along with Sh. N.K. Jha, AE(B).

Status report is filed by the MCD, copy supplied.

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

The review application has now become infructuous after the order dated 09.01.2026 when interim protection was granted till today. Same stands disposed of and be removed from the server. Its file be consigned to Record Room.

Now coming to the main appeal, Ld. counsel for the appellant seeks some more time to collect certain documents and to advance arguments.

Though, the request for adjournment is baseless, yet appellant is given last and final opportunity to address arguments on the next date of hearing.

At request, put up for arguments on **06.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 2/26 (M)

13.02.2026

Present : Sh. Deepak, Id. proxy counsel for the appellant.
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh
Gupta, Id. counsel the respondent.

Reply to the review application filed by the appellant.
Copy supplied.

An adjournment is sought on behalf of the appellant as
main counsel has been suffering from fever.

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

Put up for arguments on the review application on
10.04.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.02.2026

A.No. 602/19 & 107/20

13.02.2026

Present : Sh. Gavendra Nath, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent in
appeal no. 602/19.

Vide separate common 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
13.02.2026

A.No. 25/26

13.02.2026

Present : Sh. Prashant Diwan, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Shantanu Parashar, Ld. counsel for the respondent
no. 2.

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
13.02.2026