

A.No. 239/26  
Vijender Solanki Vs. MCD

25.03.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ajay Chaudhary, Ld counsel for the appellant through VC  
Sh. Ravinder Kumar, Ld. counsel for the appellant along with appellant.

Submissions heard. File perused.

Ld. counsels for the appellant submits that the appellant, who is present in person, wants to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal with liberty to file fresh appeal, if need arises.

Statement of appellant recorded separately to this effect.

In view of the statement made by the appellant himself, the aforesaid appeal is disposed off as withdrawn with liberty as prayed for subject to law of limitation.

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  
25.03.2026

A.No. 246/26

25.03.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Niyati Razdan, Ld counsel for the appellant along with appellant.

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondent(s), if any.

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 **16.07.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the sealing order dated 17.03.2026. 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  
25.03.2026

A.No. 247/26

25.03.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ayush Gupta and Sh. Armaan Monga, Ld counsels for the appellant.

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondent(s), if any.

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 **27.07.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 16.03.2026. 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  
25.03.2026

A.No. 248/26, 249/26, 250/26 & 251/26

25.03.2026

Fresh appeals received. It be checked and registered.

Present : Sh. Dalip Rastogi, Ld counsel for the appellants.

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondent(s), if any.

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 **28.07.2026**.

Till next date of hearing, no demolition action be taken against the properties of appellants. 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  
25.03.2026

A.No. 324/21 & 325/21

25.03.2026

Present : None for the parties.

Files have been received from the Ld. Appellate Court.

Put up for arguments on the appeal on **06.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 4/25  
Amarjeet Singh Vs. MCD

25.03.2026

Present : Sh. Ravinder Singh and Sh. Ritwik Bhardwaj, 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.

It is stated that since the subject property, which is the  
second floor of the property no. C-47, GK-I, New Delhi,  
has been regularized vide letter dated 18.03.2026 and  
the requisite regularization charges have been deposited  
by the appellant (copy enclosed) and the present appeal  
has become infructuous and the demolition order may be  
set aside.

In view of the same, since the construction at the second  
floor of the property stands regularized, the demolition  
order does not survive.

In view of the above, the appeal stands disposed of.

Next date of hearing stands canceled.

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  
25.03.2026

A.No. 661/25

25.03.2026

Present : Sh. Ravi Bassi, Ld counsel for the appellant.  
Sh. Akash Tanwar, Ld. Proxy counsel for Sh. Atul Tanwar, counsel the respondent along with Sh. Harjeet Singh, AE(B), Shahdara South Zone.

Status report is filed by the MCD, copy supplied.

The record has already been submitted.

Ld. counsel for the appellant seeks time to inspect the record and to argue the matter.

Ld. counsel for the respondent has stated that the appeal is delayed, but there is no application for condonation of delay. The appellant seeks time to move such application.

At request, put up for arguments on appeal, subject to condonation of delay on **18.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 683/25

25.03.2026

Present : Appellant in person.  
Sh. Sagar Kumar, Ld counsel for the respondent along with Sh. Srinivas, AE(B). Fresh Vakalatnama filed, same is taken on record.

It is stated for the respondent that no action has been taken by the Building Department of the MCD in the subject property nor there is any booking of the subject property by the Building Department and some time sought to ascertain as to which department of the MCD or any other Govt. Agency has taken action against the subject property.

Infacts, be awaited for the status report in this regard on **22.07.2026.**

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 714/25 & 715/25

25.03.2026

Present : Sh. Praveen Suri, Ld counsel for the appellants through VC.

Files are taken up on the application of the appellant under Section 151 CPC seeking adjournment of the matter after 30.04.2026.

Issue notice of this application to the respondents for the date fixed i.e. **01.04.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 799/25

25.03.2026

Present : Sh. V.K. Mantoo, Ld counsel for the appellant.  
None for the respondent.

None has appeared for the respondent/MCD nor record submitted despite fresh notice.

Let a notice be issued to the Executive Engineer to remain present in person in the Tribunal for explanation along with record for the next date of hearing.

Put up for further proceedings on **05.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 879/25  
Pradeep Suri Vs. MCD

25.03.2026

Present : Sh. Akash Kumar, Id. counsel for the appellant.

File perused.

The aforesaid appeal is against the vacation notice dated 16.07.2025, which is not appealable before this Tribunal.

At this stage, Id. counsel for the appellant submits that he has instructions from the appellant to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal with liberty to file fresh appeal against the demolition order/sealing order as per law.

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

In view of the statement made by the Id. counsel for the appellant, the aforesaid appeal is disposed off as withdrawn with liberty as prayed for subject to law of limitation.

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  
25.03.2026

A.No. 9/26

25.03.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Pulkit Garg, Ld. Proxy counsel for Sh. Ashutosh Gupta the respondent.  
Ms. Sarita Gaur, ALO along with Sh. Abhinav Matreye, AE(B).

Status report is filed by the MCD, copy supplied.

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 held up before the Hon'ble High Court.

At request put up for arguments on **12.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 134/26

25.03.2026

Present : Sh. Satender Chahar, Ld counsel 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 17.04.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Notice of the remaining two applications be issued to the respondent/MCD and to the private respondents for the date fixed i.e. 17.04.2026.

Put up on the date fixed i.e. **17.04.2026** for the purpose fixed.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 230/26 & 231/26

25.03.2026

Present : Sh. Rajat Singh, Ld counsel for the appellants.

Files are taken up today on the applications of early hearing filed on behalf of the appellant.

The next date of hearing in the matter is 11.05.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The applications are dismissed.

Put up on the date fixed i.e. **11.05.2026** for the purpose fixed.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 145/11

25.03.2026

Present : Ms. Ranjana Aggarwal, Ld. Proxy counsel for Ms. Rashmi Singhal, Ld counsel for the appellant along with appellant no. 2.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Some more time sought on behalf of the respondent to file the status report as per the last order regarding non-compoundable deviations in the property.

This is one of the oldest appeals in this Tribunal. However, one last and final opportunity is granted to the respondent to file the status report on next date of hearing.

Put up for further proceedings on **21.04.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 86/17

25.03.2026

Present : Sh. Akash Kumar, Ld. Proxy counsel for Sh. Rakesh Lakra , Ld counsel for the appellant.  
Sh. H.R. Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

Ld. proxy counsel for the appellant seeks pass over in the matter as main counsel is held up in some other court.

It is stated by the Id. counsel for the respondent that despite previous order, the copy of the appeal has not been supplied to him.

Appellant is directed to supply the copy of the appeal along with documents to the counsel for the respondent during the course of the day.

At request, put up for arguments on appeal on **13.05.2026.**

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 201/17

25.03.2026

Present : Sh. Mudit Sharma, Ld. Proxy counsel for the appellant.  
Sh. M.K. Arora, Ld counsel for the respondent through  
VC.

Ld. proxy counsel for the appellant seeks pass over in the matter.

An adjournment is also sought on behalf of the respondent on the ground that he has recently engaged in this matter and needs some time to go through the record.

Appeal pertains to the year 2017. However, in the interest of justice, one last and final opportunity is granted to the parties to address the arguments in the matter on next date of hearing.

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  
25.03.2026

A.No. 366/19 & 383/19

25.03.2026

Present : None for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

The order of this court dated 22.08.2023 is under challenge before Hon'ble High Court, which is now fixed for 09.07.2026.

Put up for arguments on **04.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 350/21  
Maya Vs. MCD

25.03.2026

Present : Sh. Puran Singh Mahar, Ld. LAC for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Previous cost has been deposited by the appellant.

Arguments heard.

The appellant has challenged the impugned demolition order dated 02.06.2021 on the ground amongst other ground that neither the show cause notice dated 05.04.2021 nor the demolition order dated 02.06.2021 were served.

Ld. counsel for the respondent has argued that both were sent through speed post and there is presumption of service which is to be rebutted by the appellant and therefore, show cause notice and demolition order were duly served.

I have perused the office record. The address of the subject property is 1/18, Samta Enclave, Block D, Qutab Vihar, Najafgarh, New Delhi-110071. The show cause notice dated 05.04.2021 at page no. 13/C of the office record show that the postal receipt is in the name of the appellant, but bears property number 160, Najafgarh,

....contd.2

: 2 :

Delhi-110043. The demolition order at page no. 10/C of the office record has the same details except the correct Pin Code i.e. 110071 is mentioned.

Record shows that 160 is the file number vide which the property was booked and not the postal address of the subject property. Further, there is difference in the Pin Code of the postal receipt of the show cause notice and the demolition order. The same coupled with the fact that there is no track consignment report. It appears that the show cause notice and demolition order were not served upon the appellant and she had no occasion to present her case before the Quasi Judicial Authority.

In these facts, the demolition order dated 02.06.2021 is set aside and considered as show cause notice and matter is remanded back to the respondent with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 15.04.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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: 3 :

The 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  
25.03.2026

A.No. 351/21  
Harkesh Pal Vs. MCD

25.03.2026

Present : Sh. Puran Singh Mahar, Ld. LAC for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Previous cost has been deposited by the appellant.

Arguments heard.

The appellant has challenged the impugned demolition order dated 02.06.2021 on the ground amongst other ground that neither the show cause notice dated 05.04.2021 nor the demolition order dated 02.06.2021 were served.

Ld. counsel for the respondent has argued that both were sent through speed post and there is presumption of service which is to be rebutted by the appellant and therefore, show cause notice and demolition order were duly served.

I have perused the office record. The address of the subject property is House no. 386-D, Samta Enclave, Qutab Vihar, Najafgarh, New Delhi-110071. The show cause notice dated 05.04.2021 at page no. 14/C of the office record show that the postal receipt is in the name of the appellant, but bears number 159, Najafgarh, Delhi-

....contd.2

: 2 :

110043. The demolition order at page no. 11/C of the office record has the same details except the correct Pin Code i.e. 110071 is mentioned.

Record shows that 159 is the file number vide which the property was booked and not the postal address of the subject property. Further, there is difference in the Pin Code of the postal receipt of the show cause notice and the demolition order. The same coupled with the fact that there is no track consignment report. It appears that the show cause notice and demolition order were not served upon the appellant and he had no occasion to present his case before the Quasi Judicial Authority.

In these facts, the demolition order dated 02.06.2021 is set aside and considered as show cause notice and matter is remanded back to the respondent with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 15.04.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

....contd.3

: 3 :

The 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  
25.03.2026

A.No. 238/22 & 241/22

25.03.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.  
Sh. Tejasvi Goel, Ld. counsel for the respondent through VC.  
Sh. K.K. Sharma, AE(B) in person.

Fresh status report filed on behalf of the respondent.  
Copy supplied.

As per this status report, the appellant has not removed/demolished the fourth floor in the subject property.

Appellant seeks one more opportunity to demolish entire unauthorized construction at fourth floor.

In these facts, the respondent is directed to desal the property for 4 weeks on 01.04.2026 and the appellant shall demolish the deviations/unauthorized construction within 4 weeks thereafter. The property be resealed on 04.05.2026 and the status report be filed on the next date of hearing.

Put up for filing of fresh status report by the MCD and further proceedings on **15.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 337/22 & 338/22

25.03.2026

Present : Sh. Gaurav Kumar, Ld counsel for the appellant. Memo of appearance filed.  
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel the respondent.  
Sh. Naveen Sharma, Ld. counsel for the intervener through VC and Sh. Aman Raghav, Id. counsel for the intervener.

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

Ld. counsel for the appellant seeks adjournment on the ground that he has recently been engaged.

At request, put up for reply and arguments on the application under Order I rule 10 CPC as well as appeal on **05.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 102/23, 162/23, 732/23 & 733/23  
**Ram Pravesh Vs. MCD**

25.03.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel the respondent in appeal no. 732/23 & 733/23.  
Ms. Praveen Sharma, Ld. counsel for the respondent in appeal no. 162/23,  
Sh. Ravi Ranjan, Ld. counsel for the respondent in appeal no. 102/23 through VC.  
Sh. Abhishek Tyagi and Sh. Saurabh Giri, Ld counsels for the intervener.

1. Arguments heard on the application under order 1 Rule 10 CPC filed in appeal no. 162/23 by the intervener Manoj Kumar.
2. 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

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be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. The applicant is permitted to orally argue the matter.

3. Arguments heard on all the appeals.
4. In appeal no. 102/23 the appellant has challenged the demolition order dated 06.01.2023 passed in respect of unauthorized construction in the shape of third floor with projection of municipal land.
5. In appeal no. 162/23 the appellant has challenged the sealing order dated 30.01.2023 passed in respect of unauthorized construction in the shape of third floor with projection on municipal land.
6. In appeal no. 732/23 the appellant has challenged the sealing order dated 13.03.2020 passed in respect of unauthorized construction in the shape of ground, first and second floor with projection on municipal land.
7. And In appeal no. 733/23 the appellant has challenged the demolition order dated 11.06.2019 passed in respect of unauthorized construction in the shape of ground, first and second floor with projection on municipal land in respect of property B-33/2, Gali No. 2, Chandu Nagar, Delhi-110094.

Contd...3/-

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8. The appellant has challenged these four orders on several grounds including that the show cause notices and the impugned orders were neither issued in the name of appellant nor were served and no opportunity of being heard was provided to the appellant.
9. Ld counsel for the respondent on the other hand has argued that the same were served upon Mr. Farooq who was the builder of the construction in the subject property and were also served through pasting at the subject property and therefore the opportunity of filing reply was provided to the appellant who chose not to reply.
10. I have perused the record. All the show cause notices and the impugned orders were issued in the name of Sh. Farooq/owner/builder/occupier. The show cause notice dated 30.12.2022 and the following sealing order 30.01.2023 was sent through speed post and returned undelivered with the report addressee cannot be located.
11. The demolition order dated 11.06.2019 in pursuance to show cause notice dated 28.05.2019 sent through speed post returned unserved with the report address is insufficient.

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12. The sealing order dated 13.03.2020 and the show cause notice dated 18.02.2020 were served through pasting but admittedly were issued in the name of Mohd. Farooq.
13. Lastly the demolition order dated 06.01.2023 and the show cause notice dated 26.12.2022 sent through speed post returned unserved with the report addressee cannot be located. The demolition order thereafter was served by pasting but in the name of Mohd. Farooq.
14. The respondent was directed to file status report as to why the show cause notices and the orders were issued in the name one Mr. Farooq. Vide status report dated 12.03.2024 it was stated that Mr. Farooq was raising construction at the subject premises. As per status report the same was ascertained on local inquiry but there is no local inquiry report available in the file. Further, vide status report dated 04.06.2024 it was also stated that property no. B-33/2 and property no. 229, Gali No. 2 are same properties and the property no. 229 is old number.
15. The first booking of the property as per office record is of 28.05.2019 followed by the demolition order dated 11.06.2019. The last booking is through sealing order

Contd...5/-

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dated 30.01.2023 in pursuance to show cause notice dated 30.12.2022. It is not probable that for almost three and half years Mr. Farooq was present at the subject property or that the respondent failed to ascertain as to who is the owner of the property. The entire chain of title documents filed by the appellant do not show that Mr. Farooq at any point had any right, title or interest in the property.

16. In these facts it is clear that neither the show cause notices nor the impugned orders were served upon the appellant. Admittedly they were not issued in the name of appellant and therefore even the service through pasting cannot be considered to be proper service.
17. In these facts all the four appeals are allowed and the matters are remanded back.
18. In these facts, the impugned orders are set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 15.04.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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19. 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  
25.03.2026

A.No. 187/23

25.03.2026

Present : Sh. R.N. Dubey Ld counsel for the appellant through VC.  
Appellant in person.  
Sh. Madan Sagar, Ld. Proxy counsel for the respondent.

An adjournment is sought on behalf of the respondent as main counsel Sh. Sanjeev Yadav is not available today being 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 **17.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 361/23

25.03.2026

Present : None for the parties.

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

No adverse order is being passed today.

Fresh notice be issued to the MCD for ensuring the presence of the counsel on the next date of hearing.

Put up for arguments on **19.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 515/23 & 542/23

25.03.2026

Present : Sh. Ajay Brahme, Ld counsel for the appellant through VC.

Sh. Akhil Mittal, Ld. Standing Counsel along with Sh. Vineet Kr. Mishra and Sh. Kunal Malik, Ld counsels for the respondent.

Part arguments heard at length. Appellant has not yet deposited the cost of Rs.5000/- towards condonation of delay. Let the same be deposited positively within two weeks from today.

Put up for further 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  
25.03.2026

A.No. 637/23

**Jinender Arora Vs. MCD**

25.03.2026

Present : Sh. Amit Punj, Ld counsel for the appellant.  
Ms. Laiba, Ld. proxy counsel for Sh. Mahender, counsel for the respondent.  
Sh. C. Mukund, Ld. counsel for the respondent no. 2 and  
Sh. Narender Yadav, Ld. counsel for the respondent no. 3.

1. Arguments on the application seeking condonation of delay in filing the appeal heard.
2. The appellant has challenged the order dated 14.09.2022 passed by MCD vide which the show cause notice dated 11.05.2022 was withdrawn. The present appeal was filed on 27.09.2023.
3. It was argued for the appellant that he preferred a writ petition before Hon'ble High Court followed by LPA and vide order dated 25.07.2023 and 04.08.2023 passed in LPA no. 165/23 the Hon'ble High Court granted liberty to the appellant to approach this Tribunal and after obtaining the certified copies of the orders passed by the Hon'ble High Court this appeal was filed and therefore the delay of 16 days should be condoned.
4. Same has been opposed by the Ld counsels for the respondents on the ground that the appellant was

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aware about this impugned order at least since 13.12.2022 as mentioned in the order of Hon'ble High Court passed in writ petition no. 12179/21 and therefore the period of delay should be counted from 13.12.2022 and the same is unexplained and the application should be dismissed.

5. I have perused the record. The appellant filed writ petition before Hon'ble High Court seeking action against the unauthorized construction booked vide show cause notice dated 11.05.2022. MCD on 13.12.2022 informed the Hon'ble High Court that this show cause notice has been withdrawn vide impugned order dated 14.09.2022.
6. In these facts the appellant had knowledge of this order at least since 13.12.2022. However, the appellant not being satisfied by the order dated 13.12.2022 preferred LPA no. 165/23 and vide order dated 25.07.2023 clarified on 04.08.2023 the Hon'ble High Court gave liberty to the appellant to prefer appeal before this Tribunal. This liberty however was in accordance with law. It means that the appellant is required to satisfy about the delay as well.
7. The appellant as per law should have filed appeal within 30 days from 13.12.2022 or at least within 30 days from 04.08.2023 and the plea of obtaining the

Contd...3/-

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certified copies of the orders passed by the Hon'ble High Court is meritless as now all the orders are available on the official website and can be immediately obtained.

8. Even from 04.08.2023 there is delay as the appeal was filed on 27.09.2023 and the delay is not explained. However with endeavour to adjudicate the matter on merits, the delay is condoned subject to cost of Rs. 5000/- to be deposited with the registry of this Tribunal.
9. Subject to payment of cost, put up for arguments on appeal on **17.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 777/23

25.03.2026

Present : Sh. Amol Sharma, Ld counsel for the appellant.  
Sh. Pulkit Garg, 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 held up before the  
Hon'ble High Court.

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 **18.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

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

25.03.2026

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

An adjournment is sought on behalf of the respondent as  
main counsel Sh. Ashutosh Gupta is held up before the  
Hon'ble High Court.

Similar request of adjournment is made on behalf of the  
intervener.

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

Put up for arguments 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  
25.03.2026

A.No. 1065/24

25.03.2026

Present :

Sh. Thakur Sumit and Narender Yadav, Ld counsels for the appellant along with appellant.

Sh. Madan Sagar, Ld counsel for the respondent.

Sh. Pratham Tiwari, ld. proxy counsel for the respondent no. 2 and 3.

An adjournment is sought on behalf of the respondent no. 2 and 3 on the ground that main counsel is not available today due to some personal difficulty.

It is stated by the ld. counsel for the appellant that copies of the bill and the proof of payment made by the respondents no. 2 & 3 towards installation of the lift was not provided to the appellant despite directions.

Ld. proxy counsel for the respondents no. 2 and 3 seeks permission to file additional documents on record.

Let the main counsel for R-2 and R-3 be present on next date of hearing in the court to explain as to why these documents should be taken on record and as to why the directions of the court of order dated 25.02.2026 has not been complied. Let the respondents no. 2 and 3 be also present in the court in person on the next date of hearing with proof of entire payment made towards the cost of installation of the lift.

At request, put up for further proceedings on **22.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 10/26 (M)

25.03.2026

Present :

Sh. Manoj Kumar, Ld counsel for the appellant.

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

Ld. counsel for the appellant has placed on record copy of an invalid notice dated 20.03.2026 served upon the appellant yesterday.

Vide order dated 09.12.2025, the respondent was given 6 weeks time from the date of that order to grant regularization certificate to the appellant to the existing structure subject to fulfilling of formalities if any. The respondent after that order did not issue any invalid notice to the appellant nor regularized the property as per the directions of this court on 09.12.2025. More than 3 months have been passed till today and only on 20.03.2026, this invalid notice was issued stated to be served yesterday only.

Let the Executive Engineer of the respondent be present in the court with entire record of the proceedings conducted if any, after 09.12.2025 to explain why the order of this court dated 09.12.2025 has not been complied till date in his letter and spirit, on the next date of hearing.

Put up for further proceedings on **10.04.2026**.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

25.03.2026

A.No. 416/18 & 417/18

25.03.2026

Present : None for the parties.

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

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
25.03.2026

A.No. 454/21

25.03.2026

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent.

Further 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  
25.03.2026