

A.No. 264/26
02.04.2026

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

Submissions heard. File perused.

This is an appeal against the show cause notice dated 03.05.2018 after which the demolition order dated 17.05.2018 was passed. The appellant challenged the demolition order in appeal No.347/2020 and that appeal was allowed on 24.08.2021 and the demolition order dated 17.05.2018 was set aside with directions to the respondent to pass fresh order after hearing the appellant. As per appellant no fresh order till date has been passed yet the property is lying sealed.

The order dated 24.08.2021 directed the respondent to pass speaking order within 2 months from that date and as per appellant the proceedings are still pending.

Issue notice of the appeal limited to this aspect 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 **18.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 267/26

Satish Kumar Vs MCD

02.04.2026

Present : Sh.Hemant Sharma, Ld counsel for the appellent.

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 **04.05.2026**.

Till next date of hearing, no coercive action be taken against the property of appellent in pursuance of the demolition order dated 04.11.2024. 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
02.04.2026

A.No. 272/26

02.04.2026

Present : Sh. Sanjiv Sharma, Ld counsel for the appellant joined through VC.

Submissions heard. File perused.

This is an appeal against th vacation notice which is not appealable u/s 347-B of the DMC Act. Ld. counsel for the appellant seeks time to argue on this aspect.

Put up for arguments on **06.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 271/26
02.04.2026

Present : Sh. V.K. Mantoo, Ld counsel for the appellant joined through VC.

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 **29.07.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant from ground floor to third floor in pursuance of the demolition order dated 09.03.2026. 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. Construction at the fourth floor is not protected. The MCD is at liberty to take action against the construction at fourth floor of the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 273/26 & 274/26

02.04.2026

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

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/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 **06.08.2026**.

The regularization application of the appellant dated 27.03.2026 is still pending.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order and sealing order dated 12.02.2026. 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
02.04.2026

A.No. 276/26

02.04.2026

Present : Sh. Pradeep Kumar, Ld counsel 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 15.01.2026. 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
02.04.2026

A.No. 95/25 & 164/25

02.04.2026

Present : Ms. Malti Gupta alongwith her son, applicant/intervener in person.

File is taken up today on an application of early hearing filed on behalf of the applicant alongwith an application under Order 1 Rule 10 CPC. It is stated for the applicant that despite order dated 26.03.2025 restraining the appellant from raising any further construction, the appellant is continuing with the construction.

Issue notice of both the applications to the appellant and MCD with directions to the MCD to file status report after inspection of the construction existing in the property as on the date of inspection.

Let the AE(B) concerned be present in the court with status report. Copy of this order be sent along with the notice to the MCD.

Put up for further proceedings on **17.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 724/25

Surinder Pal Mehta & Anr Vs MCD

02.04.2026

Present : Ms. Gayatri Puri, Sh. Aehsas Puri and Sh. Dev Karn Singh, Ld counsels for the appellant.
Sh. Jai Gupta, Ld. proxy counsel for Sh. Ashutosh Gupta, Ld counsel for the respondent No.1/MCD.
Sh. Satish Aggarwala, Ld. counsel for respondent No.2 and 3 joined through VC with Sh. Gagan Vashisht, Advocate present in the Court.

Matter today is listed for completion of pleadings and arguments on the appeal and interim application.

Ld. counsel for respondent No.2 & 3 has filed reply to the application seeking condonation of delay and an application for dismissal of appeal on the grounds of non-prosecution. Copy supplied.

Appellants has filed certain documents with index. Copy supplied.

Arguments heard on the application seeking condonation of delay filed by the appellants and on the application seeking dismissal of the appeal filed by respondent No.2 & 3.

As far as the application seeking dismissal of appeal on the ground of non-prosecution is concerned, the respondent 2 & 3 has prayed for dismissal of the appeal on the ground that the appellants failed to provide legible advance copy of the appeal and also did not provide the

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legible copy of the appeal and documents as per order dated 30.03.2026. The appellants though have disputed this fact but today on the directions of the Court has supplied the copy of the documents stated to be illegible. This application is therefore, disposed of.

Coming to the application seeking condonation of delay. This appeal has been filed on 30.10.2025 challenging the impugned NOC dated 05.03.2025 and revised NOC dated 20.06.2025 for installation of lift and connecting bridge in DDA flat Nos.111 to 116, Shivalik Apartments, Alaknanda, New Delhi.

As per appellants they received the copy of these NOC only on 22.09.2025 when the respondents filed written statement in the Civil Suit pending between the parties before Ld. SCJ-cum-RC, South East, Saket. It is stated that since the appellants received the NOC for the first time on 22.09.2025, this appeal was filed with a delay of only 8 days which should be condoned. Reliance has been placed on the judgment of Hon'ble Division Bench of our own High Court titled as **Govt. of NCT of Delhi Vs R.S. Sharma Contractor Pvt Ltd. dated 09.10.2025 passed in FAO (Commercial) 262/23.**

Ld. counsel for the private respondents on the other hand argued that the period of limitation shall start not from the date of knowledge but from the date when cause of

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action accrued. It was further stated that otherwise the appellants had knowledge of this NOC since 31.07.2025 when the copy was provided to them through RTI by MCD where the copies of the NOC were annexed. Reliance was placed on the judgment of Hon'ble Supreme Court of India passed in **Nikhila Divyang Mehta and Anr Vs Hitesh P. Sanghvi and Ors. 2025 Livelaw (SC) 428.**

I have perused the record. The advance copy of the written statement was supplied to the appellants in that Civil Suit on 18.08.2025 followed by another copy on 22.09.2025 and therefore the appellants had knowledge of impugned NOC at least since 18.08.2025. This appeal was filed on 30.10.2025 and admittedly there is some delay even if the date of knowledge is believed to be 22.09.2025. As per appellants they were not provided the copies of NOCs on 31.07.2025 through RTI.

The delay from 18.08.2025 to 30.10.2025 is of about 40 days and with an endeavour to decide the appeal on merits and not to condemn the Senior Citizens being unheard, the delay is condoned subject to cost of Rs.3000/- to be deposited with the Registry of this Court. Let the advance copy of the reply be supplied to the counsel for appellants on or before 06.04.2026.

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On request of counsels for the parties, put up for arguments on the appeal **07.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 162/26

02.04.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent along
with Ms. Monika Maurya, Asstt. Town Planner from TP
Department, MCD.

Arguments heard at length.

Put up for orders on **16.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 555/13, 558/13, 563/13, 565/13 & 566/13

02.04.2026

Present : None for the parties.

Vide separate judgment of even date, the present appeal is dismissed.

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
02.04.2026

A.No. 222/17, 866/17 & 615/18

02.04.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal No.615/18.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal No. 222/17 & 866/17.

Vide separate common judgment of even date, the appeals no. 866/17 & 615/18 are dismissed and the appeal no. 222/17 is remanded back to the Quasi Judicial Authority for deciding the same afresh.

All the appeals stand disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
02.04.2026

A.No. 728/25

02.04.2026

Present : Ms. Malika Aggarwal , Ld counsel for the appellant joined through VC.

Sh. Jai Gupta, Ld proxy counsel for the respondent.

Ld. counsel for the appellant seeks adjournment on the ground that she is not well today.

On request, put up for further 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
02.04.2026