

A.No. 275/26

06.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ashwani Jha, Sh. Suraj and Sh. Aaryamaan Singh,
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 **13.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 278/26 & 279/26

06.04.2026

Fresh appeals received. It be checked and registered.

Present : Sh. V.P. Rana and Sh. Aviral Jain, Ld. counsels for the appellant.

Additional documents along with list filed on behalf of the appellant. Copy placed on record.

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 **13.04.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant till second floor only in pursuance of the impugned demolition order. 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
06.04.2026

A.No. 281/26

06.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ikrant Sharma and Sh. Saksham Mittal, 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 **23.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 282/26

06.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajesh Bhatia, 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 **03.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the impugned order. 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
06.04.2026

A.No. 283/26

06.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Dinesh Kumar Gupta, Sh. Anup Kumar Singh and Ms. Samita Singh, 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 **08.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 284/26

06.04.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Monika, 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 **09.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the impugned order. 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
06.04.2026

A.No. 577/25

06.04.2026

Present : Sh. R.P. Raikwar, Ld counsel for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent through
VC.

Ld counsel for the respondent seeks some time to file the
status report and to produce the record.

At request, put up for arguments on appeal 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
06.04.2026

A.No. 578/25, 580/25, 581/25, 585/25, 586/25 & 587/25

06.04.2026

Present : Ms. Purna Rathore, Ld. Proxy counsel for the appellants.
Sh. Paras Aggarwal, Ld counsel for the respondents no. 1 and 2 through VC in appeal no. 578/25, 580/25 & 581/25.
Respondent no. 3 in person in appeals no. 578/25, 580/25 & 581/25.
Sh. Avishek Kumar Ld. counsel for the respondent in appeal no. 585/25 & 586/25. Fresh Vakalatnama filed, same is taken on record.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 587/25.

Record of these appeals have already been filed in appeal no. 578/25.

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

Respondent no. 3 (in appeals no. 578/25, 580/25 & 581/25) also seeks time to file the reply as his counsel is held up before the Hon'ble High Court

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

Put up for arguments on **30.04.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 616/25 & 104/26
Mohd. Shabbir Vs. MCD

06.04.2026

Present : Sh. Satendra Kumar and Sh. Gaurav, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 616/25.
Sh. Atul Tanwar, Ld. counsel for the respondent in appeal no. 104/26 through VC and Sh. Vaibhav Sanwal, Ld. proxy counsel in person.

Status report is filed by the MCD in appeal No.104/26, copy supplied.

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

Appellant has filed an application in both the appeals seeking stay against the vacation notice. Copy supplied.

Arguments heard at length.

1. These are two appeals challenging the demolition orders dated 20.08.2025 and 21.01.2026 both passed in respect of unauthorized construction from ground to fifth floor in property No.327 Azim Dairy, Batla House Jamia Nagar, New Delhi which were passed in pursuance to show cause notice dated 21.07.2025.
2. The brief facts necessary for disposal of these two appeals are that unauthorized construction of the entire structure from ground to fifth floor were booked

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on 21.07.2025. The show cause notice was duly served upon the appellant who appeared before the Quasi Judicial Authority on 31.07.2025 and except of his oral plea that the construction is old and occupied, no reply was given nor any document was submitted. The respondent thereafter passed the demolition order dated 20.08.2025.

3. The complainant Smt. Sayra preferred a W.P.(C) No.10360/25 before the Hon'ble High Court seeking directions to demolish the unauthorized construction raised by the appellant herein. The Hon'ble High Court vide its order dated 09.10.2025 in para 12 of that order remanded the matter back to the respondent to pass fresh order after giving hearing to the appellant herein who was respondent No.6 before the Hon'ble High Court. In pursuance to that direction opportunity of personal hearing was provided to the appellant and fresh demolition order dated 21.01.2026 was passed.
4. In these facts the appeal No.616/25 challenging the earlier demolition order dated 20.08.2025 has become infructuous yet same was pressed for the reason that the show cause notice for passing the two impugned demolition orders is same.

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5. It was argued for the appellant that the construction in the property is old and occupied and existing prior to 01.06.2014 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. It was argued that the respondent itself in the booking records that first to fourth floor are old and occupied. Further in the Civil Suit bearing CS No.523/25, the respondent filed status report dated 21.07.2025 where also it was stated that ground to fourth floor are old and occupied and further the electricity connection in the property which is feeding electricity to all the floors was installed much prior to 01.06.2014 and therefore, the two demolition orders should be set aside as the construction is protected.
6. Ld. counsel for the respondent on the other hand argued that the entire construction in the property has been raised unauthorizedly for which a complaint from PS: Jamia Nagar was received on 10.03.2025 along with photographs which clearly shows that the fresh construction has been raised in the property after 01.06.2014. The expression used by the respondent in the show cause notice and the status report that the construction is old and occupied does not mean that it

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exists prior to 01.06.2014. The burden is on the appellant to show that the construction was raised prior to 01.06.2014 or is having a sanctioned building plan and since the appellant has failed to show that, the appeals should be dismissed.

7. I have perused the record. The respondent in the original booking as well as in the demolition order has mentioned that the construction is old and occupied but that does not mean that it is existing prior to 01.06.2014. The complaint received from PS: Jamia Nagar shows that the fresh construction was reported by the police in March 2025 with photographs available at page 13-C of the office record. This clearly show that the fresh construction was raised in the property after 01.06.2014. The appellant has not filed any documents to show that the construction existing as on date was raised prior to 01.06.2014. The electricity bill relied upon by the appellant show the energization date as 11.02.2008 for ground floor only. None of the document relied by the appellant show existence of construction up to fourth floor and a mumty on the terrace of the fourth floor. The burden is on the appellant who claims benefit under National Capital Territory of Delhi Laws (Special Provision)

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Second Amendment Act, 2011 to show that the construction is protected under this Act. In the absence of any material on record to show that the construction from ground to fourth floor existed prior to 01.06.2014, there are no merits in these two appeals. Further the appeal No.616/25 has become infructuous since fresh order was passed on 21.01.2026 by the respondent following the directions of the Hon'ble High Court.

8. Both the appeals are 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
06.04.2026

A.No. 201/26

06.04.2026

Present : Sh. Satyakam Saini, Id. counsel for the appellant through VC.
Ms. Akariti Sharma, Ld. Proxy counsel for the appellant.
Sh. Kamal Kishore Okharwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

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

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

At request, put up for arguments on **05.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 217/26
Md. Reyazuddin Vs. MCD

06.04.2026

Present : Sh. A.K. Jha, Ld counsel for the appellant along with appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent through VC.

Ld. counsel for the appellants submits that appellant who is present in person, wants to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal.

Statement of the appellant recorded separately to this effect.

In view of the statement made by the appellant himself, the aforesaid appeal is 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
06.04.2026

A.No. 605/16

06.04.2026

Present : Sh. Prateek Aggarwal, Ld counsel for the appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent through
VC.

Ld. counsel for the appellant has filed a pen-drive containing complete video record of the marriage ceremony of the son of the appellant. It is further stated that at the relevant time, the recording was in the form of VCD which has now been converted into a pen-drive.

Same is taken on record.

Ld. counsel for the respondent seeks time to go through this pen-drive. Let the copy of the same be supplied to him within 3 days.

Put up for further arguments on **26.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 735/16 & 23/18

06.04.2026

Present : Ms. Sana Ansari and Sh. I. Ahmad, Ld. counsel for the appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent through VC.

Previous cost deposited.

Part arguments heard.

On request made by the ld. counsel for the appellant, put up for further arguments on **18.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 284/20

06.04.2026

Present : Sh. Vipin Nandwani, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

An adjournment is sought by ld. counsel for the appellant as he could not prepare the case being out of station.

Appeal pertains to the year 2020. However, in the interest of justice, another last and final opportunity is granted to the appellant to address the arguments in the matter.

Put up for arguments on **18.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 382/23

06.04.2026

Present : Husband of the appellant in person.
Sh. Madan Sagar, Ld counsel for the respondent.

Previous cost has been paid by the appellant.

An adjournment is sought on behalf of the appellant as his counsel has recently been operated for some heart ailment and is not available today.

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

Put up for arguments on **03.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 386/23

06.04.2026

Present : None for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent through VC.

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

No adverse order is being passed today.

Put up for arguments on **17.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 205/25 & 206/25

06.04.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

Further arguments heard.

The appellant has relied upon some property tax return and an assessment order dated 25.02.2011.

My Ld. Predecessor in earlier appeal no. 605/22 while remanding the matter back on 21.01.2025, in para 8 of that order specifically asked the respondent to appreciate and give findings on the property tax documents.

The impugned order passed subsequently, did not mention anything about the property tax documents.

Let the respondent produce entire original file of property tax record of the subject property no. C-37 (New), [A-12 (old)], Gali no. 13, Madhu Vihar, Delhi on the next date of hearing.

Put up for further arguments on **22.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 478/25, 479/25, 480/25, 481/25, 482/25, 483/25, 484/25, 485/25, 505/25, 506/25, 507/25, 508/25, 509/25, 510/25, 511/25 & 512/25

06.04.2026

Present : Sh. Gaurav Jain, Ld counsel for the appellant through VC.

Sh. Atul Tanwar, Ld counsel for the respondent in appeal Nos.478/25, 480/25 481/25, 482/25, 508/25, 509/25 & 510/25 & 512/25.

Sh. Ashutosh Gupta, Ld. counsel for respondent MCD in remaining appeals.

Ld. counsel for the appellants submits that he has applied for the certified copy of the office record submitted by the respondent which has not yet been provided to him and seeks time to go through the same.

At request, put up for arguments on **29.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 539/25 & 540/25

06.04.2026

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

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for the appellant wants to withdraw the aforesaid appeals and requests for adjournment for today being busy in the Hon'ble High Court.

At request, put up for recording the statement qua withdrawal of the aforesaid appeals on **07.04.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.04.2026

A.No. 541/22

06.04.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

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
06.04.2026