

A.No. 327/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. M. Sufian Siddiqui, Mohd. Mazhar Ahmad and Md. Niyazuddin, Ld counsels for the appellants along with 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).

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 **02.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellants i.e. property bearing no. J-28, Udyog Nagar Industrial Area, Peeragarhi, New Delhi, in pursuance of the demolition order dated 06.01.2025. However, it is made clear that no encroachment on the public land is protected. The appellants are directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 330/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Imran Ahmad, 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 **17.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. 3574, 3575 and 3584, Lal Quan, Delhi, in pursuance of the demolition order dated 12.01.2026. 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
24.04.2026

A.No. 331/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. R.K. Singh, Ld counsel for the appellant.

Submissions heard. File perused.

Ld. counsel for the appellant seeks some time to file certain documents.

In the meantime, 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 consideration on **06.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 332/26 & 333/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. B.K. Roy, 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 **01.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 334/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shyam Babu and Sh. Piyush, Ld counsels 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 **21.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. second floor of the property bearing no. 25/378, New Moti Nagar, New Delhi, in pursuance of the demolition order dated 09.04.2026. 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
24.04.2026

A.No. 335/26

24.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Mohit Chaudhary, Sh. Naveen Sharma and Sh. Nishant Walia, Ld. counsels 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 **09.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellants i.e. fourth floor of flat no. 55, Block BW, Shalimar Bagh, New Delhi in pursuance of the demolition order dated 08.04.2026. However, it is made clear that no encroachment on the public land is protected. The appellants are directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 384/25

24.04.2026

Present : Appellant in person.
Sh. Atul Tanwar, Ld counsel for the respondent.

It is stated by the Id. counsel for the respondent that the appellant filed application to temporary deseal the property for the purposes of demolition only on 10.04.2026 and not within the 2 weeks as directed on 05.02.2026 and the application is still under considered.

At request. put up for status report on this application on **25.08.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 795/25 & 796/25

24.04.2026

Present : Sh. Rajiv Aggarwal, Ld counsel for the appellant.
Sh. Shubham Babaj, Ld counsel for the respondent along with Sh. P.K. Jindal, AE(B), CNZ. 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 inspect the record and to argue the matter.

At request, put up for arguments on **09.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 55/26
Zakir Hussain Vs. MCD

24.04.2026

Present : Sh. Ashish Tilwani, Ld counsel for the appellant along with appellant.
Sh. Atul Kumar, Ld counsel for the respondent through VC.

Submissions heard. File perused.

It is stated by the Id. counsel for the respondent that as on date, no demolition order has been passed and only a show cause notice dated 12.01.2026 which has been challenged, has been issued.

The aforesaid appeal, which is against the show cause notice, is not appealable before this Tribunal. The appeal is dismissed with liberty to challenge the demolition/sealing order as per law.

Appeal stands 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
24.04.2026

A.No. 129/26

24.04.2026

Present : Sh. G.D. Mishra, Ld counsel for the appellant through VC.
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh
Gupta, counsel for the respondent.

Ld. counsel for the respondent submits that he has not gone through the record and seeks time to inspect the record and argue.

It is stated for the appellant that another appeal filed against the demolition order is listed for 24.07.2026.

At request, put up with connected appeal no. 447/25 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
24.04.2026

A.No. 160/26

24.04.2026

Present : Sh. Kislaya Parashar, Sh. Sonu Gautaam and Dh. D.S. Bangari, Ld counsels for the appellant.
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The record has been produced of proceedings under 344 (1) read with Section 343 DMC act and of 345-A of DMC Act. Let both the record be deposited with Registry.

Ld. counsel for the appellant submits that copy of the sealing order was never supplied and he has filed application in this appeal for temporary desealing of the property. Same cannot be done in this appeal.

Let the appeal challenging the sealing order be filed as per law.

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
24.04.2026

A.No. 310/26 & 311/26

24.04.2026

Present : Sh. Brij Kishore Rottela and Sh. Puran Chand, Ld
counsels for the appellant.

Applications have already been filed to place on record
the sealing and the demolition order. Same are taken 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 **11.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 19/26 (M)

24.04.2026

Present : Ms. Pratishtha, Ld. Proxy counsel for the appellant through VC along with appellant in person.

This is an application seeking compliance of the order dated 16.03.2026.

Let notice of this application be issued to the respondent for **09.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 5/14

24.04.2026

Present : Sh. Prashant Katara, Ld counsel for the appellant through VC.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, as per which, the appellant is required to apply off-line for regularization as it is a commercial area and same cannot be regularized through online portal.

The appellant is directed to apply for regularization off-line within 2 weeks from today.

Put up for further proceedings/filing status report/arguments on **28.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 478/15

24.04.2026

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

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

No adverse order is being passed today.

Parties are directed to file written arguments within 2 weeks from today with advance copy to each other.

Put up for 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
24.04.2026

A.No. 56/16

24.04.2026

Present : Sh. G.R. Verma and Sh. H.K. 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 Hon'ble High Court.

In the interest of justice one more opportunity is granted to the respondent to file the status report as per the order dated 26.02.2026.

Put up for awaiting the said report and 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
24.04.2026

A.No. 386/16

24.04.2026

Present : Sh. Sanjeev Kumar Dubey, Ld. Senior counsel for the appellant through VC with Sh. Shah Rukh Khan, Advocate present in the Court.
Sh. Nilesh Sawhney, Ld counsel for the respondent along with Sh. Ashok Kumar, ASO, NDMC.

Arguments heard at length.

Put up for orders on **29.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 489/16

24.04.2026

Present : Sh. Ashish Dubey, AR of the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments advanced by ld. counsel for the respondent.
An adjournment is sought on behalf of the appellant as main counsel is not available today due to some personal difficulty. Written arguments of the appellant are already on record.

The appeal pertains to the year 2016. However, in the interest of justice one last and final opportunity is granted to the appellant to address the arguments in the matter.

Put up for arguments on **01.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 705/17

24.04.2026

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld. counsel for the respondent.
Ms. Kavita Grover, Intervener in person.

Part arguments heard.

Ld. counsel for the respondent submits that he has not been provided the complete paper-book.

Let the appellant to provide the same to the counsel for the respondent.

It has been informed on behalf of the respondent that the property was earlier booked for unauthorized construction at first and second floor in the year 2006. Let the record of that booking be also produced on the next date of hearing.

Put up for further arguments on **07.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 99/18, 100/18 & 101/18

24.04.2026

Present : Sh. Dinesh Sharma, Ld. counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments heard at length.

Put up for orders on **02.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 371/19

24.04.2026

Present : Sh. Dalip Rana and Sh. Gaurav, Ld. proxy counsel for the appellant through VC along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Previous cost imposed vide order dated 23.09.2024 has not yet been deposited.

It is stated that same shall be deposited within two weeks from today as main counsel has been suffering from spine problem.

Subject to deposit of the cost and in the interest of justice one last and final opportunity is granted to the appellant to address the arguments in the matter.

Put up for arguments on **22.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 14/20

24.04.2026

Present : Ms. Creesha Shastri, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. proxy counsel for the appellant submits that matter between the appellant and the private respondent(s) is pending before the Mediation Centre, Hon'ble Delhi High Court and is now fixed on 25.04.2026 and same will have bearing on the appeal, which relates to sanction.

At request, put up for awaiting outcome of the aforesaid mediation 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
24.04.2026

A.No. 99/20

24.04.2026

Present : Sh. Mukesh Gupta, Ld counsel for the appellant along with appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

An adjournment is sought by the counsel for the appellant on the ground that he is not prepared with the arguments today.

The appeal pertains to the year 2020. In the interest of justice one last and final opportunity is granted to the appellant to address the arguments in the matter.

Put up for arguments on **12.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 202/20

24.04.2026

Present : Sh. Mukesh Sharma , Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Aditya Jha, SDM from Narela Zone joined through VC along with Sh. Rajesh Dhankar, Reader of the SDM in person. (mobile no. 9891223322)

The SDM, who has appeared through VC, has assured that the Abadi deh certificate relied by the appellant shall be verified by the next date of hearing. The photocopy of this certificate dated 12.09.2007 is supplied to the Reader of the SDM, who is present in the court.

Let the verification report be filed on the next date of hearing.

Put up for awaiting the report and 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
24.04.2026

A.No. 293/20

24.04.2026

Present : Appellant in person.
None for the respondent.

An adjournment is sought by the appellant as his counsel Sh. Prashant Diwan has gone to attend a marriage 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 on the next date of hearing.

At request, put up for arguments on **19.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 372/21

24.04.2026

Present : Sh. Parth Mahajan, Ld counsel for the appellant.
Sh. Nilesh Sawhney, Ld counsel for the respondent along
with Sh. Ashok Kumar, ASO, NDMC.

Arguments heard at length.

Put up for orders 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
24.04.2026

A.No. 127/24

24.04.2026

Present : Ms. Shagun Kohli, Ld. Proxy counsel for the appellant through VC.
Sh. Mohit Sharma, Ld counsel for the respondent through VC.

An adjournment is sought on behalf of the appellant as the appellant, who is the counsel himself, is appearing as a witness in Patiala House Court.

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 **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 220/24 & 236/24

24.04.2026

Present : Sh. Anurag Tomar, Ld counsel for the appellant through VC.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 220/24.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 236/24.

Part arguments heard on the application seeking condonation of delay in filing the appeal.

The appellant is directed to file certified copy of the record of the Civil Suit filed by him at Dwarka Court.

The AE(B) is also directed to be present with status report regarding the present position of the property whether it is lying sealed or desealed as on date and when and how it was temporary or permanently desealed.

Put up for further arguments on this application on **07.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 272/24

24.04.2026

Present : Sh. Arun Vidhyarthi and Sh. Kuldeep, Ld counsel for the appellant.
Sh. Prabhakar Mani Tripathi, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The regularization application of the appellant has been rejected.

Part arguments heard.

Ld. counsel for the respondent requests for adjournment as he is having pain in his teeth.

At request, put up for arguments on **03.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 366/24

24.04.2026

Present : Wife of the appellant in person.
Sh. Prabhakar Mani Tripathi, Ld counsel for the respondent.

Ld. counsel for the respondent seeks copy of the application filed by the appellant on the last date of hearing. Same is there on record and be supplied today itself.

An adjournment is sought on behalf of the appellant as main counsel is having throat infection and is not in a position to come today.

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

At request, put up for arguments on **03.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 452/24

24.04.2026

Present : Sh. Mohit Sehrawat, Ld. Proxy counsel for the appellant through VC.
Sh. Atul Tanwar, Ld counsel for the respondent.

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

The appellant has challenged an order dated 30.12.2021 in this appeal filed in the year 2024, but there is no application seeking condonation of delay. The appellant is given one last opportunity to move said application, failing which, the appeal shall be dismissed on the ground of delay.

At request, put up for arguments on **21.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 487/24

24.04.2026

Present : Sh. Deepak Vuttsya, Ld counsel for the appellant.
Sh. Pritish Sabharwal , Ld counsel for the respondent
through VC.

At request, put up for arguments on **02.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 490/24

24.04.2026

Present : Ms. Vaishali Gupta, Ld counsel for the appellant through
VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

At request, put up for arguments on **01.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 938/24

24.04.2026

Present : Sh. G.R. Verma and Sh. H.K. Sharma, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for the appellant seeks permission to file the written arguments. Let the same be filed with advance copy to the other side.

Put up for further arguments on **14.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 285/25

24.04.2026

Present : Sh. Susheel Kumar Tiwari, Ld. Proxy counsel for the appellant.

Ms. VAsu Singh, None for the respondent.

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

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

At request, put up for arguments on **07.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 312/25

24.04.2026

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

Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the appellant wants to address arguments physically.

At request, put up for arguments on **11.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 350/25

24.04.2026

Present : Sh. Depak Aggarwal, Ld counsel for the appellant through VC along with appellant in person.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Navdeep Singh, Ld. counsel for the intervener through VC.

It is stated by the ld. counsel for the appellant that appellant has applied for regularization and till pendency of that application, the arguments may be deferred.

At request, put up for arguments on **02.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 450/25

24.04.2026

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

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

No adverse order is being passed today.

Put up for arguments on **08.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 455/25

24.04.2026

Present : Sh. Sachin Choudhary and Sh. Mayank Sonkar, Ld counsel for the appellant along with appellant. Fresh Vakalatnama filed, same is taken on record
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Shiv Kumar Sharma, Ld. counsel for the intervener along with intervener. Fresh Vakalatnama filed, same is taken on record

Ld. counsel for the appellant as well as respondent/MCD has filed reply to the application under I rule 10 CPC of the intervener. Copy supplied.

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,

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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.

It is stated for the intervener that husband of the appellant also filed an appeal against the impugned demolition order and now his wife has filed this appeal, but the particulars of the appeal are not to his knowledge.

Let the respondent to file status report in respect of any appeal filed by Mr. Vimal Pandey challenging the impugned demolition order dated 27.03.2025.

Put up for further arguments on the appeal on **02.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026

A.No. 344/24 & 388/24

24.04.2026

Present : None for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 388/24.
Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal no. 344/24.
Dr. Sarabjit, Ld. counsel for the respondents through VC.
Sh. Krishan Bansal in person, who is also appearing for Ms. Renu Bansal, who are respondent no. 2 and 3 in one appeal and respondent no. 8 and 9 in another appeal.

Vide separate common judgment of even date, both the aforesaid 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
24.04.2026

A.No. 122/26
Sangeta Singh & Ors. Vs. MCD

24.04.2026

Present : Sh. Jatin Arora and Sh. Aryan Sangwan, Ld counsels for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Dalip Rastogi, Id. counsel for the respondents no. 2 to 7 along with some of the respondents.

1. Vide this order I will dispose of an interim application filed by the appellants under Order XXXIX Rule 1 & 2 CPC and another application under Order XXVI Rule 9 CPC for appointment of Local Commissioner.
2. The brief facts necessary for disposal of these two applications are that the appellants have challenged the sanction dated 23.06.2025 accorded by the MCD to the private respondents 3 to 7 for installation of lift in Block –C of society Arya CGHS Ltd., Sector-15, Rohini, Delhi for flats No.203, 204 and 301 to 304. The appellants have challenged this sanction on the ground that same is in violation of a policy governing sanction for lift. There is no sanctioned building plan of this society yet NOC for lift has been granted which poses structural and security risk.

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3. In the interim application it has been stated that the Structural Engineer appointed by the appellants has given his report dated 23.03.2026 that the construction of the lift at the proposed site poses significant structural risk and has strongly advised not to proceed for installation of lift and therefore an interim order should be passed staying installation of lift and further an independent Local Commissioner should be appointed to inspect and report about the structural safety of the building and about infringement of easementary rights of the appellants.
4. Ld. counsel for MCD has argued that the sanction was accorded as per lift policy after considering all the documents submitted by the private respondents and there are no merits even in this appeal.
5. Ld. counsel for private respondents has argued that most of the appellants are not even residents of C-Block and out of four who are residents of C-Block, two are on ground floor and their consent is immaterial. Further, the respondents duly submitted the Certificate of supervision by the Architect and Licensed Engineers with their undertakings and affidavits and there is no threat to the structural safety as alleged by the appellants. The private respondents shall not put their life at to peril by installing lift in

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structurally unsafe building and therefore not only the interim application but the appeal should be dismissed.

6. I have perused the record. The appellants are required to show a prima-facie case, balance of convenience and irreparable loss and injury at this interim stage. There are 10 appellants and six of them do not reside in Block-C for which sanction for lift has been accorded. Appellants No.1 to 4 are the residents of C-Block and appellants No.2 and 3 are of ground floor C-Block. The consent of residents of ground floor flat owners is not required. The private respondents 2 to 7 are residents of C-Block and have taken sanction on the basis of certificates, undertakings and affidavits of Architect and Licensed Engineers. The MCD accorded sanction after considering all the documents submitted by private respondents. The certificate given by the Civil Engineer engaged by the appellants cannot be considered of a higher value as compared to the certificates and undertakings submitted by the Licensed Engineer of the private respondents. Admittedly, the private respondents are also residing in C-Block and will not put their life at risk by installing lift at stably weak structure. The six out of ten

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appellants who are not residing in C-Block cannot have any say in installation of lift in C-Block. The appellants do not have any prima-facie case in their favour nor balance of convenience lies in their favour. The application seeking appointment of Local Commissioner is also misconceived as the Court is not suppose to collect evidence for them. The appellants have already filed report of the Structural Engineer which shall be considered while disposal of this appeal.

7. Both the applications are dismissed.

Put up for arguments on appeal on 05.06.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
24.04.2026