

A.No. 336/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Kapil Khanna, Ld counsel for the appellant 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), 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  
27.04.2026

A.No. 337/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Nitin Goyal, 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 **25.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. second floor of F-54, Karampura, Delhi, in pursuance of the demolition order dated 07.04.2026. 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  
27.04.2026

A.No. 338/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Jafar Abbas, 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 **13.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 339/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajat Sahni, 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 **02.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 340/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajan Sahni, Ld counsel for the appellant.

Submissions heard. File perused.

This is an appeal against the vacation notice, which is not appealable before this Tribunal.

Ld. counsel for the appellant seeks time to amend the appeal.

At request, put up for further proceedings on **02.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 341/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Afroz Khan and Ms. Barkha Chhabra, 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 **13.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 342/26

27.04.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Ashu Arora, Ld counsel for the appellant 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 **10.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 238/22

27.04.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellant.

File is taken up today on an application of preponement of the date of hearing and another application for extension of time for desealing, filed on behalf of the appellant.

It is stated for the appellant that he has removed the non-compoundable deviations in the property and has to seek approval from DUAC before applying for regularization as the property falls in special area and for that purpose, the property should be open for inspection/directions for DUAC. It is therefore, prayed that the temporary desealing of the property may be extended till 15.05.2026.

In view of the submissions made, let the temporary desealing of the property is extended till 15.05.2026. The MCD shall file status report on that day.

The applications stand disposed of.

Put up on the date fixed i.e. **15.05.2026** for the purpose fixed.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 181/24

27.04.2026

Present : Sh. Subham Srivastava, Ld counsel for the appellant.

File is taken up today on an application of early hearing filed on behalf of the appellant.

Let notice of this application be issued to the respondent for **10.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 641/24

27.04.2026

Present : Sh. Ashutosh Gupta, Ld counsel for the respondent.

File is taken up today on an application of early hearing filed on behalf of the respondent.

Issue notice of this application to the appellant for **28.05.2026.**

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 771/25

27.04.2026

Present : Sh. Ayush Chaudhary, Ld. Proxy counsel for the appellant.  
Sh. Sagar Kumar, Ld. counsel for the respondent through VC.  
Ms. Sarita Gaur, ALO along with Sh. K.K. Yadav, 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 appellant as main counsel is not available today due to some personal difficulty.

At request, 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  
27.04.2026

A.No. 13/26

27.04.2026

Present : Sh. Badri Das, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for respondent seeks some time to file the record.

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

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  
27.04.2026

A.No. 103/26

27.04.2026

Present : Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Subodh Hathwal, AE(B), Shahdara S. Zone.

File is taken up today on an application of early hearing filed on behalf of the respondent.

Status report is filed by the MCD and it is also stated that record of this case has already been submitted.

Let notice of this application be issued to the appellant and copy of this status report and today's order be also sent with the notice, for **11.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 21/26 (M)

27.04.2026

Present : Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent, through VC.

File is taken up on the application of the respondent seeking clarification/modification of the order dated 17.12.2025 vide which the respondent was directed to desal the property within 2 weeks.

It is stated in this application that the subject property was never sealed by the respondent and therefore, this observation in the order dated 17.12.2025 that the property be desealed in two weeks should be modified.

In view of the submissions made in this application, the directions in the order dated 17.12.2025 to desal the property in two weeks is modified and it may be read that the property was never sealed by the respondent.

The application is allowed.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 340/13, 348/13, 352/13, 360/13, 363/13, 377/13, 378/13, 407/13, 408/13, 409/13, 410/13, 411/13, 412/13, 416/13, 595/13, 1194/13, 1195/13, 1006/17 & 389/13.

27.04.2026

Present : Ms. Jyoti Kataria, Ld. counsel for the appellant in appeals no. 408/13, 409/13, 410/13, 411/13, 412/13, 595/13, 1194/13 &, 1195/13.  
Sh. Rajesh Pathak, Ld. counsel for the appellants in appeal no. 407/13 and 416/13.  
Sh. Saurabh Kansal and Sh. Suraj Kumar Jha, Ld. counsel for the appellants in appeal no. 340/13 and 1006/17.  
Sh. Anil Kumar Gupta, Ld. counsel for the appellant in appeal no. 360/13.  
None for the other appellants.  
Sh. Sanjay Sharma, Ld. counsel for the respondent/NDMC along with Sh. Ashok Kumar, ASO and Sh. Dharambir Singh, Consultant.

The appellants have challenged the impugned speaking order dated 01.07.2013 vide which the entire Vijaya Building, 17, Barakhamba Road is directed to be sealed. The Quasi Judicial Authority in this speaking order has mentioned that the plea of the appellant seeking protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is untenable since the building is commercial in nature.

Undisputedly, the said Act does not distinguish between a residential and commercial building and the protection under this Act is available irrespective the nature of the building.

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Ld. counsel for the respondent is directed to satisfy on this aspect as to how this order is sustainable which distinguish the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 between a residential and commercial building. Ld. counsel for the respondent seeks time to argue on this limited aspect.

At request, put up for arguments on this aspect on **21.05.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 156/18 & 157/18

27.04.2026

Present : Sh. Praveen Singh, Ld. proxy counsel for the appellant through VC.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Sh. Dinesh Kumar and Sh. Saurabh Puri, Ld. counsel for the respondent no. 2.

An adjournment is sought on behalf of the appellant as main counsel Sh. Sunil Chaudhary is not available today due to bad health.

The appeals pertain to the year 2018. 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 **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  
27.04.2026

A.No. 133/21

27.04.2026

Present : Sh. Karan Bhalla son of Ms. Meeta Rani Bhalla, in person.

Sh. H.R. Aggarwal and Sh. V.K. Aggarwal, Ld counsels for the respondent.

Status report is filed by the MCD, copy supplied.

The regularization application of the appellant is stated to be under process.

Let the further status report in this regard be filed.

At request, put up for awaiting the further status report and arguments on **27.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 188/21

27.04.2026

Present : Sh. Kunal Kalra, Ld counsel for the appellant through VC.  
Sh. Sanjay Sharma, Ld counsel for the respondent along  
with Sh. Ashok Kumar, ASO, NDMC.

An adjournment is sought by ld. counsel for the appellant  
as he is not ready with the arguments 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 **10.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 393/21 & 404/21

27.04.2026

Present : Sh. Rajan Chaudhary, Ld. counsel for the appellant through VC along with Sh. Roshan, Ld counsel for the appellant along with appellant in person.  
Sh. A.L Agnihotri, Ld counsel for the respondent in appeal no. 393/21 joined through VC.  
Sh. Mohit Sharma, Ld. proxy counsel for Sh. R.K. Kashyap, counsel for the respondent in appeal no. 404/21 joined through VC.  
Sh. Atul Sharma, Id. counsel for the intervener/proposed respondent Sh. Rahul Tyagi in appeal no. 393/21.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard in appeal no. 393/21. 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, application moved by

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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.

The MCD has calculated the misuser charges of the subject shop no. 2 in appeal no. 393/21 as Rs. 2,53,440/- and of Shop no. 4 in appeal no. 404/21 as Rs. 22,233.60/-. The intervener has challenged the ownership of the appellant and has argued that the property on which subject shop has been built, was acquired by Flood Control Department and at present, some portion of the property is in possession of the intervener.

Record shows that the Intervener has claimed right, title and interest in some portion of shop no. 2 and has not raised any concerned except the title of the appellant of the other shop.

This court is not a Civil Court to decide the issue of title. The Shop no. 4 was in possession of the tenant of the appellant when it was sealed and the appellant is willing to pay the misuser charges. Infacts, let the appellant to deposit the misuser charges of shop no. 4 @ Rs. 22,233.60/- with the respondent and to produce the G-8 Receipt on the next date of hearing.

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None of the counsels for the MCD has made any submissions on merits on these appeals.

Put up for further arguments on **31.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 571/22 & 572/22  
Bhairu Lal Yadav & Ors. Vs. MCD

27.04.2026

Present : Sh. Abhishek, Ld. proxy counsel for the appellant no. 1.  
Sh. Aseem Nayar, Ld counsel for the appellant no. 2 & 3.  
Fresh Vakalatnama filed, same is taken on record.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

1. Arguments heard.
2. The appellants have challenged the demolition order dated 08.01.2021 and the sealing order dated 02.03.2021 passed in respect of unauthorized construction in the shape of ground floor and first floor with projection on municipal land of property in Khasra No.40/8 and 40/9 Main Road Karawal Nagar, Delhi primarily on the ground that the show cause notice under section 344(1) read with 343 of the DMC Act dated 16.12.2020 as well as the show cause notice dated 05.02.2021 u/s 345A of the DMC Act were neither issued in the name of the appellants nor were served upon the appellants and the principles of natural justice have been violated.
3. I have perused the record. Both the show cause notices were sent to one Mr. Bansal by speed post and there is no track consignment report. Further, the sealing order was received back with the report

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insufficient address. Not only that the service of show cause notice has not been proved, the same were also not issued in the name of the three appellants. There is no material on record to show how the addressee Mr. Bansal was connected to the subject property or to the appellants.

4. In these facts, both the impugned orders dated 08.01.2021 and 02.03.2021 are set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellants and after giving personal hearing to the appellants. The appellants shall appear before the Quasi Judicial Authority on 18.05.2026 at 2.00 pm qua demolition appeal and at 03.00 pm qua sealing appeal and the speaking order be passed within 6 weeks of conclusion of the hearing.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 38/24, 67/24, 68/24, 69/24, 118/25 & 119/25

27.04.2026

Present : Sh. R.K. Ruhil, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel for the respondent seeks a short accommodation to advance arguments.

At request, put up for arguments on **06.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 401/24

27.04.2026

Present : Ms. Sonali Chopra, Ld counsel for the appellant through VC.  
Sh. Sanjay Sharma and Sh. Jasman Singh, Ld counsel for the respondent along with Sh. Ashok Kumar, ASO, NDMC.

An adjournment is sought by ld. counsel for the appellant as she has a prior appointment with doctor today.

At request, put up for arguments on **24.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 935/24

**Aar Pee Apartment (P) Ltd. Vs. MCD**

27.04.2026

Present : Sh. Rohit Jain, Ld. counsel for the appellant through VC.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Sh. Krishan Kant Tiwari, Ld. Proxy counsel for the intervener.

It is stated by the Id. counsel for the intervener that subject property i.e A-42, 43 and 44, Dr. Mukherjee Nagar Commercial Complex, has been desealed in pursuance to the order no. 213/EE(B)/1/CLZ/2026 dated 19.03.2026.

Copy of this order has been placed on record.

This appeal is against the sealing order dated 26.09.2024 passed in respect of subject property. Since, vide subsequent order of the competent authority, the property has been directed to be desealed, this appeal has become infructuous.

The appeal is disposed of being infructuous.

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  
27.04.2026

A.No. 1018/24, 1031/24 & 1080/24

27.04.2026

Present : Sh. Aman Nath, Ld. Proxy counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 1018/24.  
Sh. S. Adil Hussain, Ld. counsel for the respondent in appeal no. 1031/24 through VC.  
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal no. 1080/24.

An adjournment is sought on behalf of the appellant as main counsel Sh. Kushal Kumar has met with an accident.

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 **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  
27.04.2026

A.No. 231/25 & 365/25

27.04.2026

Present :

Sh. J.P. Yadav and Sh. Satish Kumar, Id. counsel fro the appellant along with appellant.

Sh. Sanjay Sethi, Ld counsel for the respondent through VC in appeal no. 231/25

Sh. Paras Aggarwal, Ld. counsel for the respondent in appeal no. 365/25.

An application under Section 151 CPC along with fresh vakalatnama filed for the appellant. Copy supplied in one appeal and placed on record in appeal no. 231/25.

It is stated by the appellant that he has voluntarily removed all non-compoundable unauthorized construction in the subject property and same may be inspected by the respondent to verify.

Let the respondent inspect the suit property bearing no. 32, Noor Nagar, opposite MCD School, Jamia Nagar, Okhla, New Delhi and to file status report as to whether any non-compoundable deviations/unauthorized construction exists in the property on the next date of hearing.

Put up for further status report and arguments on **10.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
27.04.2026

A.No. 292/25

**Sh. Alok Jain & Anr. Vs. MCD**

27.04.2026

Present : Sh. S.P. Saini & Ms. Renu Saini, Ld counsel for the appellant along with appellant no. 2.  
Sh. Atul Tanwar, Ld counsel for the respondent through VC and Sh. Akash Tanwar, advocate in person.

1. Arguments heard.
2. The appellants who are the owner of first floor flat bearing No.1026, Creative Heights Society, Pocket GH-1, Sector-29 Rohini, Delhi have challenged the demolition order dated 11.04.2025 passed in respect of unauthorized construction in the shape of excess coverage/deviations against the original DDA plan.
3. It was argued by the Ld. counsel for the appellants that this show cause notice and the demolition order do not specify about the alleged excess coverage and deviations in the property and therefore same is liable to be set aside as it violate the directions passed by the Hon'ble Supreme Court of India IN RE... directions in the matter of demolition of structures (2025) 5 Supreme Court Cases 1.
4. Ld. counsel for the respondent on the other hand has argued that the appellants themselves have admitted in the affidavit filed along with the appeal that there is excess coverage in the shape of covering balcony in

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the property and therefore there is no infirmity in the impugned order.

5. I have perused the record. The show cause notice dated 19.03.2025 booked the unauthorized construction in the flat of the appellants in the shape of excess coverage/deviations against original DDA plan. The said original DDA plan is not available in the office record and therefore there was no means available with the respondent at the time of booking the property as to what are the deviations/excess coverage booked by the respondent. Further, the demolition order was passed on the same facts that there is excess coverage and deviations against original DDA plan which should be demolished. The Hon'ble Supreme Court of India in the above mentioned matter has specified the requirements to be followed while taking coercive action against the properties and it is mandatory for the respondent to specify the deviations/excess coverage and also to specify whether the same are compoundable or not. None of these mandatory requirements were complied with by the respondent and after passing the order the reliance to specify the excess coverage placed on affidavit of the appellant is not tenable. The impugned order and the show cause notice should have

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specified those deviations/excess coverage and the affidavit with appeal cannot be relied by the respondent to justify the demolition order.

6. In these facts the appeal is allowed and the demolition order dated 11.04.2025 is set aside as it is non-specific about the alleged excess coverage/deviations nor mentions that whether the same are compoundable or not. The respondent shall be at liberty to book the property again through fresh show cause notice after complying with all the mandatory directions passed by the Hon'ble Supreme Court of India.
7. The appeal is allowed.
8. 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  
27.04.2026

A.No. 285/22

27.04.2026

Present : Appellant in person.  
Sh. Ashutosh Gupta, 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