

A.No. 351/26
Seema Arora Vs. MCD

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Meenakshi Jain and Sh. Gautram Kapur , Ld counsel
for the appellant.

Submissions heard. File perused.

This is an appeal challenging notice u/s 435 of the DMC Act which is not appealable. It is the grievance of the appellant that neither show cause notice nor demolition/sealing order were provided to her.

After addressing some arguments, Ld. counsel for the appellants submits that she has instructions from the appellants to withdraw the aforesaid appeal and she may be permitted to withdraw the aforesaid appeal.

In view of the request made by the Id. counsel for the appellant, the aforesaid appeal is disposed off as withdrawn.

Appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 353/26

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Manish Kumar Meena, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld. counsel for the DDA joined through VC and accepted the notice.
Sh. Sanjay Kumar, Nodal Officer DDA,

Submissions heard. File perused.

Ld. counsel for the appellant has pressed for interim relief. Shutters have been installed by the appellant in a common area without any authority. No ground for interim protection is made out.

The Executive Engineer (B) DDA is directed to ensure the presence of the concerned AE(B) DDA 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**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 357/26

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Om Prakash, Ld counsel for the appellant.

Submissions heard. File perused.

Ld. counsel for the appellant requests for protection of any coercive action till 15 days and in the meantime, the appellant will apply for regularization of the existing structure as per the building byelaws.

Subject to appellant applying for regularization as per rules within 15 days, no coercive action be taken against the property of appellant i.e. upper ground floor of property no. 48, Chitra Vihar, 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

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 **19.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 358/26

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Bhavya Sethi, 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
30.04.2026

A.No. 359/26

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajnish Ranjan, 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.

Sh. Ashutosh Gupta, Id. counsel for the respondent who has been appearing in other connected appeals with Sh. Nitin Bharti, AE(B), accepts notice on behalf of the respondent.

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 **07.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. C-42, Third Floor right side, East of Kailash, New Delhi, in pursuance of the demolition order dated 19.06.2025. 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
30.04.2026

A.No. 360/26

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Sunil Kumar and Sh. Atul Garg, 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 **08.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. property no. 93/94, Khasra no. 256, Village Jaunti, New Delhi-110081 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
30.04.2026

A.No. 362/26
Bharti Vs. MCD

30.04.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shubham Asri and Sh. Abhijeet Rai, Ld counsel for the appellant.

Submissions heard. File perused.

The appellant in this appeal has challenged the impugned demolition order dated 29.10.2018 and 22.03.2019, but these orders are annexed with the appeal. Further, perusal of the record shows that at page no. 18, the show cause notice is dated 22.03.2019 whereas at page no. 15, the show cause notice under Section 345-A DMC Act mentions the date of initial booking as 29.10.2018.

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 **01.09.2026**.

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Till next date of hearing, no coercive action be taken against the property of appellant i.e. DDA Flat no. 162-B, Vikrant Enclave, Mayapuri, New Delhi, in pursuance of the demolition orders. 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.

Copy of this order be given dasti as requested.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 128/26, 156/26, 157/26, 158/26 & 285/26

30.04.2026

Present : Sh. Hari Krishan, Ld. counsel for the appellant in appeal no. 285/26.
Sh. Rajnish Ranjan, Ld counsel for the appellant in all other appeals bearing no. 128/26, 156/26, 157/26 & 158/26.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Nitin Bharti, AE(B) in appeals no. 128/26, 158/26 & 285/26.
None for the respondent in other appeals.

Ld. counsel for the respondent seeks some time to produce the record as the concerned AE(B) is out of India.

Let the record be submitted on or before the next date of hearing.

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
30.04.2026

A.No. 473/13, 1014/13, 1015/13 & 1016/13

30.04.2026

Present : Sh. Prashant Kumar Srivastava, Ld. counsel for the appellant in appeal no. 473/13.
Sh. Dalip Rastogi, Ld counsel for the appellant in other appeals.
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal No.473/13.
Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal Nos. 1014/13, 1015/13 & 1016/13.
Sh. Anupam Sharma, Ld. counsel for the respondent/ DDA through VC.

Arguments heard at length.

Put up for orders on **08.06.2026**.

Both the parties are at liberty to file written arguments/case law, if desired, with advance copy to each other at least 7 days prior to the date fixed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 843/17

30.04.2026

Present : Sh. Chandresh Upadhyay and Sh. Ankit Upadhyay, Ld. counsels for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Further arguments heard.

As recorded in the order dated 13.01.2026, the covered area as per the property tax return calculated on the basis of reverse calculation comes to 123.22 sq. mtrs whereas the existing covered area is 130 sq. mtrs and additional covered area of 4.77 sq. mtrs which is projection on municipal land.

Ld. counsel for the appellant submits that appellant is ready to demolish the excess coverage which is more in comparison to the property tax return voluntarily at the second floor as well as projections on municipal land and seeks time to take instructions from the appellant as to which part of the property he wants to demolish.

At request, put up for further arguments on **16.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 351/18, 352/18, 290/18, 291/18 & 292/18

30.04.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant in appeal Nos. 351/18, 290/18, 292/18 & 291/18.
Sh. Satender Sharma, Ld. counsel for appellant in appeal No.352/18.
Sh. Dharamvir Gupta, Ld. counsel for respondent in appeal No.351/18 & 352/18.
Sh. S. Adil Hussain, Ld. counsel for the respondent in appeal No.291/18 and 292/18.
Sh. H.R. Aggarwal, Ld counsel for the respondent in appeal No.290/18.

Further arguments heard.

Written submissions also filed on behalf of the appellant in appeal No.352/18.

Put up for orders 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
30.04.2026

A.No. 134/19 & 135/19

30.04.2026

Present : Sh. R.K. Pandey and Sh. Manish Pandey, Ld counsels for the appellant along with son of the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent/MCD along with Sh. Faiz Ahmad Bakshi, AE(B) and Sh. S.C. Mishra, ALO.
Sh. Atul Verma, Ld. counsel for the respondent no. 3 along with Sh. Harish, Director of the respondent no. 3 through VC.

Part arguments heard.

Respondent no. 3 was directed vide order dated 17.10.2025 to file documents relating to approval of fresh sanction plan for the subject property, which has not been filed till date though it was claimed that the construction has been completed.

The respondent no. 3 is directed to file these documents with advance copy to the counsel for the appellant, who also seeks time to inspect the record filed by the MCD.

At this stage, ld. counsel for the respondent no. 3 submits that he does not want to file those documents as directed by this Court and first the locus of the appellant be decided. This request of respondent no. 3 is malafide as it was claimed on 17.10.2025 that since new sanction has been accorded and construction has been completed. Once this court directed respondent no. 3 to file those documents, the order is either to be complied with or is to

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be challenged and respondent no. 3 cannot claim that he will not file those documents. The Director of respondent no. 3, who is present through VC is issued a show cause notice to explain as to why proceedings for contempt for not compliance of the order of this court be not initiated against him and he is directed to be present in the court on the next date of hearing along with reply to the notice. Ld. counsel for the respondent no. 3 submits that non-compliance of the directions of the court is not a contempt.

At this stage, director of the respondent no. 3 submits that he will file the documents as directed by this court vide order dated **17.10.2025**.

At request, put up for further arguments on **16.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026/

A.No. 346/19 & 710/22

30.04.2026

Present :

Ms. Kanwaljit Kochar, Ld. senior counsel for the appellant through VC along with appellant in person.

Sh. Anubhav Gupta, counsel for the respondent in appeal no. 346/19 along with Ms. Rituja Gupta, AE(B).

Sh. V.K. Aggarwal, Id. counsel for the respondent in appeal no. 710/22.

Status report is filed by the MCD, copy supplied.

As per this status report, the appellant did not comply with the Invalid notice dated 24.03.2026 within the time frame and therefore, the sanction application was rejected on 23.04.2026 due to crossing threshold time limit. The appellant submits that she never received this Invalid Notice dated 24.03.2026. Further, as per this status report, the ground, first and second floor are in habitable condition and can be regularized, but not the third floor which is unfinished and inhabitable and presently is lying sealed.

It is further stated that the unfinished inhabitable structure cannot be considered for regularization.

Let the respondent reopen the application for sanction and sanction the plan only for ground, first and second floor as per rules. The appellant shall be at liberty to get the third floor sanctioned as and when the same is sanctioned/regularized after it is in a condition to be considered for regularization.

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The sanction application which is now only for ground, first and second floor be decided in time bound manner within 6 weeks from today.

At request, put up for filing of status report and further arguments on **20.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 476//19 & 477/19

30.04.2026

Present : Husband of the appellant in person.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent along with Sh. Mukesh Gaur, AE(B).

Status report is filed by the MCD, copy supplied.

An adjournment is sought on behalf of the appellant as son of the main counsel is not well today.

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

The appellant has not yet complied directions of the order dated 21.05.2024. Let the same be done positively by next date of hearing.

Put up for arguments on **11.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 666/22 & 294/24

30.04.2026

Present : Sh. Anuj Garg, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal no. 294/24.
None for the respondent in appeal no. 666/22.

Ld. counsel for the respondent seeks some more time to
verify the documents as per the last order.

At request, put up for further arguments 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
30.04.2026

A.No. 113/23

30.04.2026

Present : Sh. Aman Kumar Shamra, Ld counsel for the appellant along with appellant.

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

Ld. counsel for the appellant has placed on record copy of the appellant regarding deposit of Building Permit Fee for regularization of the property. The same was not as per the rules as the appellant is required to apply afresh for regularization and the earlier regularization application rejected on this ground of non-payment of the Building Permit Fee cannot be reopened as sought by the appellant.

Appellant submits that he will reapply for regularization afresh.

At request, put up for further proceedings/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
30.04.2026

A.No. 192/23, 193/23 & 528/24

30.04.2026

Present : Sh. G.R. Verma, Sh. H.K. Sharma and Ms. Sonu Lohia,
Ld counsels for the appellant.
Sh. Jai Subhash Thakur, Ld. counsel for the appellant
through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal no. 192/23 & 193/23.
Ms. Vasu Singh, Id. counsel for the respondent in appeal
no. 528/24 through VC.
Sh. Pooran Singh Mahar, Ld. LAC for intervener Ms.
Sangita Tyagi.

An adjournment is sought by the Id. counsel for the
appellant as he is not ready for 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 **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
30.04.2026

A.No. 235/23 & 651/23

30.04.2026

Present : Sh. G.R. Verma, Sh. H.K. Sharma and Ms. Sonu Lohia,
Ld counsels for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent with
Rani Prajapati, Advocate in appeal No.651/23.
Sh. V.K. Aggarwal, Ld. counsel for the respondent in
appeal No.235/23.

Arguments heard at length.

Put up for orders on **10.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 680/24 & 707/24

30.04.2026

Present : Sh. G.R. Verma, Sh. H.K. Sharma and Ms. Sonu Lohia,
Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Pooran Singh Mahar, Ld. LAC for intervener Ms.
Sangita Tyagi.

Ld. counsel for the appellant submits that he is not ready
with the arguments and seeks some time to address the
arguments.

As requested, 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
30.04.2026

A.No. 852/24

30.04.2026

Present : Sh. Vinod Pant, Ld. counsel for the appellant joined through VC with Appellant in person present in the Court.
Ms. Mehak Arora, Ld counsel for the respondent along with Sh. Ravi Kumar, AE(B), West Zone.
Sh. Kamal Sethi, Ld. counsel for the intervener.

House Tax record of the subject property filed by the respondent.

An adjournment is sought by the Ld. counsel for the appellant as he is not well 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 **20.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 176/25

30.04.2026

Present : Sh. Dalip Rastogi, Ld. counsel for the appellant with Ms. Renu Kuhar and Ms. Anshi Srivastav, Advocates.
Sh. Sanjay Sethi, Ld counsel for the respondent joined through VC.
Sh. Sunil Pandey, Ld. counsel for the intervener alongwith son of the applicant Mr. Suresh Kumar.

It is already lunch time and Ld. counsels for the appellant submits that he is not available in the post lunch session.
At request, put up for arguments on **20.08.2026**.
Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 307/25 & 308/25

30.04.2026

Present : Sh.Dalip Rastogi, Ld counsel for the appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent.
Sh. Sanyam Dahiya,Ld. proxy counsel for intervener.
Ms. Puja Jakhar, Sh. Harshit Prakash, Sh. Krishan Chauhand, Ld. counsels for proposed intervener.

It is already lunch time and Ld. counsel for the appellant submits that he is not available in the post lunch session. An application under Order 1 Rule 10 CPC has been filed by one Mr. Amarjit Singh Sethi for his impleadment as proposed intervener being aggrieved by the demolition order and the sealing order.

The present appellant has challenged these two orders for the ground floor of the subject property and the applicant is concerned about parts of first and second floor. The applicant is required to file his own appeal to challenge the impugned orders despite the orders being composite order as respondent cannot challenge the orders. The application stands dismissed.

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
30.04.2026

A.No. 15/25 (M)

30.04.2026

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

This is an application seeking restoration of the appeal dismissed in default on 10.03.2025.

None is present for the applicant/appellant.

I have perused this application. With an endeavour to decide the appeal on merits, the application is allowed subject to cost of Rs.5000/- to be deposited with the registry of this Tribunal. The appeal be restored to its original number.

Put up for arguments on appeal **15.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 525/25, 526/25, 527/26, 528/25, 529/25 & 530/25

30.04.2026

Present : Sh. G.D. Mishra, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal Nos.528/25 & 530/25.
Sh. Atul Tanwar, Ld. counsel for respondent in appeal Nos. 525/25 and 527/25 joined through VC.
Sh. V.K. Aggarwal, Ld. counsel for respondent in appeal No.526/25 & 529/25.

Ld. counsel for appellant submits that he could not inspect the record and seeks adjournment for addressing the arguments.

At request, put up for arguments on **16.09.2026**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 578/25 – Safina Vs. MCD
A.No. 581/25 – Shahnaz Vs. MCD
A.No. 585/25 – Shahzad Qureshi Vs. MCD
A.No. 586/25 – Javed Ahmed & Anr. Vs. MCD
A.No. 587/25 – Rizwan Qureshi Vs. MCD

30.04.2026

Present : Sh. Sanjeev Kumar and Sh. M.M. Siddiqui, Ld counsels for the appellants.
Sh. Paras Aggarwal, Ld counsel for the respondent in appeal Nos. 578/25 & 581/25,
Sh. Ashutosh Gupta, Ld. counsel for respondent in other appeals.

1. Arguments heard on this appeal. As per appellants the show cause notice dated 30.05.2025 was neither issued in the names of these appellants nor was served upon them nor any opportunity of being heard was provided and the judgments of Hon'ble High Court passed in the case of **Mahinder Singh & Ors. Vs. MCD 34 (1988) DLT 118 and Krishan Gopal Vs. MCD 22 (1982) DLT 73** were not followed.
2. Ld counsel for the respondent/MCD on the other hand argued that the title documents of the appellants are unregistered GPA, Agreement to Sell etc. and do not conferred any ownership rights of the appellants and MCD had no reason to issue show cause notice in their names and therefore the appeals should be dismissed.

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3. I have perused the record. The show cause notice dated 30.05.2025 was issued in the name Nafees Khan booking unauthorized construction from ground to fifth floor with projection on municipal land. The said Nafees Khan has preferred his own appeal no. 580/25. The show cause notice was neither issued in the names of these five appellants nor was served upon them and was sent only to Nafees Khan. The principles of natural justice were violated as opportunity of being heard was not provided. All these five appeals are allowed.
4. In these facts, the demolition order dated 27.06.2025 in respect of the properties of the appellants is set aside and the matters are remanded back to the respondent with directions to the respondent to pass a speaking order after considering the reply 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 and the speaking order be passed within 6 weeks of conclusion of the hearing if the appellants fails to appear with reply and documents as directed no further opportunity shall be granted and the respondent shall be at liberty to pass demolition order forthwith.

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5. 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
30.04.2026

A.No. 580/25

Nafees Khan Vs. MCD

30.04.2026

Present : Sh. Sanjeev Kumar and Sh. M.M. Siddiqui, Ld counsels
for the appellants.

Sh. Paras Aggarwal, Ld counsel for the respondent.

1. Arguments heard on this appeal. As per appellant the show cause notice dated 30.05.2025 was neither issued in the name of the appellant nor was served upon him nor any opportunity of being heard was provided and the judgments of Hon'ble High Court passed in the case of **Mahinder Singh & Ors. Vs. MCD 34 (1988) DLT 118 and Krishan Gopal Vs. MCD 22 (1982) DLT 73** were not followed.
2. Ld counsel for the respondent/MCD on the other hand argued that the title documents of the appellant is unregistered GPA, Agreement to sell etc. and do not conferred any ownership right of the appellant and MCD had no reason to issue show cause notice in their names and therefore the appeals should be dismissed.
3. I have perused the record. The show cause notice dated 30.05.2025 was issued in the name Nafees Khan who is the appellant in the appeal was duly

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delivered to him through speed post. The track consignment report is available in office record which shows that show cause notice was delivered to the appellant on 10.06.2025. The appellant did not file any reply and thereafter the demolition order dated 27.06.2025 which was also served through speed post on 03.07.2025 and as such there is no merit in the argument of non-service of show cause notice and the demolition order.

4. Coming to the merits of the appeal. The appellant purchased two room set on the fifth floor of property R-98, Khasra NO. 1/ETC-113, Gali No. 21, Brahampuri, Delhi-110053 through unregistered documents on 06.03.2025. There is no document on record to establish that the construction was raised as per sanctioned building plan or is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. The electricity bill filed by the appellant is of the first floor and that to mention the date of energization as 10.03.2025. The construction is unauthorized and is not protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and therefore there are no merits in this appeal. Same is dismissed. The demolition order is upheld.

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5. 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
30.04.2026

A.No. 713/25

30.04.2026

Present : Sh. Rishab Jain, Ld counsel for the appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent joined
through VC.

Arguments heard at length.

Put up for orders 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
30.04.2026

A.No. 22/26

30.04.2026

Present : Sh. Omvir Singh, Ld counsel for the appellant along with appellant in person.

Sh. Sagar Kumar, Ld counsel for the respondent.

It is stated by the appellant that the subject property is in unauthorized colony which is now permitted to be regularized in the new notification dated 08.04.2026.

Let the appellant apply for such regularization within 6 weeks.

Put up for arguments on **11.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 891/18

30.04.2026

Present : None for the appellant.
Sh. Dharamvir 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 files be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
30.04.2026

A.No. 132/23 & 133/23

30.04.2026

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

Vide separate common judgment of even date, both the present appeals are 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
30.04.2026