

A.No. 369/26

05.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajeev Chaudhary, 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 **09.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. third floor of property no. 9657-58, Islam Ganj, Near Library Road, Azad Market, Delhi, in pursuance of the demolition order dated 21.04.2026. 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  
05.05.2026

A.No. 370/26

05.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shiv Charan 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 **03.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the demolition order dated 17.04.2026. 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  
05.05.2026

A.No. 371/26

05.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Parmod Gupta, 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 **01.07.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 372/26

05.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Saif Ali, Ld counsel for the appellant.

Submissions heard. File perused.

Ld. counsel for the appellant has placed on record the copy of the demolition order today.

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 **10.08.2026**.

Till next date of hearing, no coercive action be taken against the ground floor of the property no. D-569, Khasra no. 905-908, 25 foota Road, near Nargis Masjid, Jaitpur Extension, Delhi, in pursuance of the demolition order dated 21.11.2024. 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  
05.05.2026

A.No. 373/26

05.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ankit, Ld counsel for the appellant.

Submissions heard. File perused.

The aforesaid appeal is against the vacation notice dated 20.01.2026 in respect of dangerous building bearing property no. 1189, Khasra no. 93/7, Gali no. 24-A, Swatantra Nagar, Narela, Delhi, which is not appealable before this Tribunal. The appeal is dismissed with liberty to challenge the demolition/ sealing order, if any, 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  
05.05.2026

A.No. 13/15, 14/15 & 232/25

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent in  
appeal no. 13/15 and 14/15.  
Sh. Ashutosh Gupta, Ld. counsel for the respondent in  
appeal no. 232/25.

It is again submitted by the counsels for the respondent  
that the regularization application of the appellant shall be  
decided positively within two/three days from today.

In view of the same, put up for filing further status report  
in this regard and arguments on **25.05.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 122/25

05.05.2026

Present : Sh. T.R. Sandhu, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent along  
with Sh. R.D. Chaudhary, AE(B).

Record of temporary desealing file has been produced. It  
be deposited with Registry.

Respondent seeks some more time to file the sealing  
record as it is not yet traceable.

From the temporary desealing file, it is evident that the  
property was sealed some time in 2017 and was applied  
for temporary desealing by the appellant himself in 2020.  
There is no application seeking condonation of delay in  
filing this appeal filed on 28.02.2025.

Let the appellant to take appropriate steps in this regard.

Be awaited for record as well as further proceedings on  
**09.07.2026.**

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 763/25

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Sanjay Sethi, Ld. counsel for the respondent through VC.  
Sh. Avijeet Kumar, Ld. counsel for the intervener.

File is taken up today on an application filed by the appellant for early hearing and for modification of the order dated 18.03.2026 vide which, the interim protection dated 13.11.2025 was not extended till the next date of hearing which is 12.08.2026.

Record shows that on 18.03.2026, the application of the intervener under Order I rule 10 CPC was disposed of and counsel for the appellant sought time to inspect the office record which request was allowed. Further, it will be relevant to note that the demolition order of the lift was passed only because the sanction accorded for installation of the lift was revoked.

Since, the interim protection dated 13.11.2025 was till next date of hearing i.e. 18.03.2026, there was no reason to withdraw this protection once the counsel for the appellant sought time to inspect the record.

In these facts, the interim protection dated 13.11.2025 is extended till 12.08.2026.

The application stands disposed of.

Put up on the date fixed i.e. **12.08.2026** for the purpose fixed.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 11/26

05.05.2026

Present : Sh. Yogesh Sharma, Ld counsel for the appellant.

File is taken up today on an application of early hearing and for modification of the order, filed on behalf of the appellant.

Issue notice of this application to the respondent/MCD for **19.05.2026.**

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 101/26

05.05.2026

Present : Sh. Sumit Gaba and Sh. Arun Kumar, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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 **08.06.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 124/26

05.05.2026

Present : Sh. Dhruv Gupta, Ld counsel for the appellant.  
Sh. Sanjay Sharma and Sh. Krishan Sharma, Ld  
counsels for the respondent/DDA.

Reply to the appeal as well as to the interim application,  
documents along with list and vakalatnama filed on behalf  
of the respondent/DDA. Copy supplied.

Record has already been submitted.

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

At request, put up for arguments on **04.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 210/26

05.05.2026

Present : Sh. Mohit Bangwal, Ld counsel for the appellant joined through VC along with appellant in person.  
Sh. S. Adil Hussain, Ld counsel for the respondent through VC.

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

Let the same be submitted within 2 weeks. Ld. counsel for the appellant can inspect the same thereafter.

Put up for arguments on appeal 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  
05.05.2026

A.No. 39/16

05.05.2026

Present : Sh. B.K. Pandey, Ld. counsel for the appellant through VC.  
Sh. Dharamvir Gupta, Ld counsel for the respondent along with Sh. Atul Kumar, AE(B).

It is submitted by the AE(B) that Invalid Notice has been issued to the appellant on 30.04.2026 which as per the appellant has not yet been received.

The appellant is directed to collect the same physically from the office of AE(B) if not received by tomorrow and to comply with the requirement of the Invalid Notice.

Put up for awaiting further status report and 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  
05.05.2026

A.No. 791/16 : Kamlesh Saxena Nee Chakravorty Vs. MCD  
A.No. 809/16 : Vikram Yadav Vs. MCD

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellants.  
Sh. R.K. Kashyap, Ld. counsel for the respondent through VC in appeal no. 791/16.  
Sh. Mukesh Sachdeva, Id. counsel for the intervener through VC.  
Sh. Dharamvir Gupta, Id counsel for the respondent in appeal no. 809/16.

1. Arguments heard at length.
2. These are two appeals challenging the demolition order dated 04.02.2008 passed in respect of unauthorized construction of a room on the rear side of first floor flat no. 145, Suraksha Enclave, Pitampura in appeal no. 791/16 and the demolition order dated 04.02.2008 passed in respect of unauthorized construction of a room in the backside of second floor and a room with store on the third floor in appeal no. 809/16.
3. Both the appellants have challenged these two orders on the ground that the construction is old and occupied and the property was booked on a complaint with Monitoring Committee and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Reliance was placed on the property tax return of flat no. 146

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which is at second and third floor above flat no. 145.

4. Ld counsel for the respondent on the other hand argued that the construction is admittedly unauthorized without any sanctioned plan and is not protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and is liable to be demolished.
5. I have perused the record. In appeal no. 809/16, the appellant had placed on record a property tax G8 receipt dated 27.06.2006 through which the property tax for the year 2006-2007 of Rs. 1737/- was deposited. The respondent was directed to calculate the area under unit area method and calculate the covered area for which this tax was deposited on reverse calculation basis. The MCD vide status report dated 19.03.2026 stated covered area will come out to be 79.8 sq. mtr. The allotted area of the flat as per documents is about 50 sq. mtrs., and this shows that this additional covered area of about 29 sq. mtr., was added subsequently but prior to 08.02.2007 which is the cutoff date for protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. The appellant therefore has shown that the additional unauthorized construction of

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about 29.8 sq. mtrs was raised and added in the property much prior to the cutoff date. Further the FIR dated 29.01.2008 itself record that the construction is old and occupied and property has been booked on the basis complaint of Monitoring Committee. There is no material to show that fresh construction was raised in flat no. 146 which is subject matter of appeal no. 809/16.

6. Similarly, though there is no documents of property tax for flat no. 145 which is below flat no. 146 but for the reason that room on the second and third floor can be constructed only when there is a room at the first floor, the construction of the room in the backside of flat no. 145 was also prior to 08.02.2007. In this case also the booking was on the basis of complaint with Monitoring Committee and construction is old and occupied.
7. In these facts, both the demolition orders are upheld but are kept in abeyance till protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is available.

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8. The respondent is at liberty to take action once the Act ceases to be in force. Appeal stands disposed of.
9. 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  
05.05.2026

A.No. 792/16

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellants.  
Sh. Dharamvir Gupta, Ld. counsel for the respondent.  
None for the intervener.

Part arguments heard.

The appellant has relied upon the property tax receipt dated 30.10.2004 to show that the construction existing in flat no. 136, Surksha Enclave, Pitam Pura, Delhi, is much prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

Let the respondent to verify this receipt and also to calculate the area for which this tax was paid on the basis of reverse calculation and to file the status report on the next date of hearing.

Put up for awaiting the status report and further arguments on **15.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 944/16

05.05.2026

Present : Ms. Ritu Dhuria, daughter of the appellant joined through VC.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the respondent has placed on record order dated 09.01.2020 passed by the Hon'ble High Court in W.P.(C) no. 3653/2013 and it has been stated that in view of this order of Hon'ble High Court, this court does not have jurisdiction as the impugned demolition order was passed on the basis of the orders passed in this writ petition and the jurisdiction lies with the Monitoring Committee appointed by the Hon'ble Supreme Court of India.

It is stated for the appellant that detailed written arguments have already been filed and the appellant rely upon on those arguments.

Put up for further 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  
05.05.2026

A.No. 194/17

05.05.2026

Present : None for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.  
Ms. Palak Rajan, Ld. proxy counsel for the intervener.

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

The appeal pertains to the year 2017. Adjournment was sought for the appellant on the last date as well ; none appeared for the appellant before that and adjournment has been repeated sought since last more than one year.

Subject to cost of Rs. 10,000/- to be deposited with Registry of this Tribunal, the appellant is given one last and final opportunity to argue on the next date of hearing.

Put up for arguments on **21.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 299/17

05.05.2026

Present : Ms. Palak Rajan, Ld. proxy counsel for the appellant.  
Sh. Ashutosh Gupta , Ld counsel for the respondent.  
None for the intervener.

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

The appeal pertains to the year 2017. 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 **21.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 305/17 & 306/17 : Shobha Rani Lal Vs. MCD

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellants.  
Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal no. 305/17.  
Sh. Dharamvir Gupta, Ld. counsel for the respondent in appeal no. 306/17.  
Sh. Mukesh Sachdeva, Id. counsel for the intervener through VC.

1. Arguments heard at length.
2. An application under order XXII Rule 3 CPC read with order XXII Rule 9 CPC to bring on record of legal heirs of appellant who passed away on 22.05.2024 is pending.
3. Though, the application is belated and there are some technical defects in the GPA executed by the husband and children of the deceased appellant, yet for the reason that technicality should not come in the way of dispensation of justice, the application is allowed and the legal heirs are impleaded.
4. These are two appeals challenging the demolition order dated 21.04.2017 in respect of flat no. 108 Suraksha Enclave, Pitampura, Delhi in respect of

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unauthorized construction of one room at first floor in the backside in appeal no. 305/17 and the demolition order dated 21.04.2017 in respect of flat no. 107, Suraksha Enclave, Pitampura, Delhi in respect of unauthorized construction of a room at ground floor in the backside in appeal no. 306/17.

5. As per appellants, the construction is old and occupied and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 yet the respondent passed the impugned order without considering the reply of the appellants.
6. Ld counsels for the respondent on the other hand have argued that there is no document filed by the appellants to show that the construction is prior to 08.02.2007 and is protected under this Act.
7. I have perused the record. Several flats in Suraksha Enclave were booked by the respondent on the complaint of Monitoring Committee in January, 2008 followed by demolition orders in February, 2008. The subject properties of these two appeals were not booked in 2018 and on the directions of Members of Public Grievance Commission, the remaining 16 flats including the two subject flats were booked subsequently. Fresh show cause notices were issued

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on 28.11.2016. The document filed by the appellant in response to this show cause notice shows that the property tax of these flats were deposited since 1991.

8. The appellants also filed the documents showing IGL Gas connection be installed in the premises bearing flat no. 108 way back on 06.10.2005. The photographs filed before the respondent shows that the pipe line of IGL connection installed in the outer walls of this extended rooms way back in 2005. This shows that this additional room at ground and first floor in these two flats was constructed prior to 08.02.2007 which is the cutoff date of protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 for the subject properties. The respondent ignored these documents as there is no finding as to why these documents were not considered. The appellant have shown that the construction is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
9. Hence, the impugned order dated 21.04.2017 is kept in abeyance in respect of properties of the appellant till this Act is in force. The respondent is at liberty to take action once the Act ceases to be in force. Appeal stands disposed of.

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10. 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  
05.05.2026

A.No. 307/17

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellants.  
Sh. Dharamvir Gupta, Ld. counsel for the respondent.

At request, put up with the connected appeal bearing no.  
792/16 on **15.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 53/18

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
None for the respondent.

None has appeared for the respondent despite repeated calls since morning. Even none has appeared for the respondent on the last date of hearing.

No adverse order is being passed today.

Fresh notice be issued to the MCD for ensuring the presence of the counsel on the next date of hearing.

Put up for arguments on **23.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 137/19, 138/19, 140/19 & 141/19

05.05.2026

Present : Sh. M.S. Khan, Ld counsel for the appellant joined through VC and Sh. Wasim Khan, Advocate in person.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Arguments heard at length.

Vide separate common judgment of even date, all 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  
05.05.2026

A.No. 278/19

05.05.2026

Present : Sh. A.K. Upadhyay, Ld counsel for the appellant along with appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Property tax receipts no. 33644 has been verified by the respondent and PTR has been filed, vide which the appellant has deposited the property tax for the year 2004-05 to 2018-19 on 12.03.2017. Except of this PTR, there is no record of payment of the property tax by the appellant.

The basic contention between the parties is whether the subject property falls in category 'G' or 'H'. The respondent has already filed misuser charges in respect of the property considering it to be in category 'G', whereas the appellant claims that the property falls in category 'H' for which no misuser charges are payable in view of the notification dated 22.06.2007 issued by the DDA.

MCD is directed to verify and to file the status report as to whether any misuser are payable for category H or not, on the next date of hearing.

Put up for awaiting the further status report and 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  
05.05.2026

A.No. 453/21 & 7/24

05.05.2026

Present : Sh. R. Vasudev, Ld counsel for the appellant in appeal no. 453/21.  
Mohd. Tariq Farooqi, Ld. counsel for the appellant in appeal no. 7/24 joined through VC along with appellant in person (who is respondent no. 2 in other appeal)  
Sh. Anubhav Gupta, Ld. counsel for the respondent through VC in appeal no. 453/21.  
Sh. Avishek Kumar, Ld. counsel for the respondent in appeal no. 7/24 joined through VC.

An adjournment is sought on behalf of the appellant in appeal no. 7/24 as counsel is not well today.

In the interest of justice one more opportunity is granted to the parties to address the arguments in the aforesaid matters.

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  
05.05.2026

A.No. 27/22, 28/22, 151/22 & 152/22  
Shakil Ahmad Vs. MCD

05.05.2026

Present : None for the appellant.  
Sh. Mohit Sharma, Ld counsel for the respondent.  
Mohd. Nazim, Ld. counsel for the intervener joined through VC.  
Despite various calls none is appearing on behalf of the appellant in the Tribunal or through VC.  
Put up at 2.35 PM.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD/05.05.26

At 2.35 pm  
Present :

None for the appellant.  
Sh. Mohit Sharma, Ld counsel for the respondent.  
Mohd. Nazim, Ld. counsel for the intervener joined through VC.  
None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls.  
None had appeared on behalf of the appellant on the previous date of hearing as well.  
It is already 2.35 PM. It appears that the appellant is not interested in pursuing the aforesaid appeals. The aforesaid appeals are dismissed in default.  
Record of the respondent if any be returned alongwith copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 364/23 & 301/24

05.05.2026

Present : Sh. Pooran Chand, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

An application of the appellant u/s 151 CPC seeking permission to repair the subject property as per the advisory notice dated 14.05.2025 issued by the respondent is pending. Copy of that application supplied today.

The appellant has also filed an application to place on record certain photographs of the subject property. Copy supplied.

Same are taken on record.

The advisory notice dated 14.05.2025 states that some portion of the property bearing no. 3541, Katra Babar Beg, Lal Quan, Delhi is in dilapidated condition and requires immediate strengthening. The respondent has not specified the said portions. The said AE(B) is directed to inspect the property and to file status report as to which portions of the property requires immediate strengthening work.

Let the inspection be carried out on 18.05.2026 at 3.00 pm in the presence of the appellant/her authorized person and to file the status report with photographs in this regard on the next date of hearing.

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Put up for awaiting status report and arguments 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  
05.05.2026

A.No. 235/24 & 474/24

05.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 474/24.  
Sh. Pritish Sabharwal, Ld. counsel for respondent in appeal no. 235/24 through VC.

Ld. counsel for the appellant submits that he has filed application on 06.04.2026 for reopening the regularization application after complying with all the requirements of the earlier rejections. It is further stated that arguments may be deferred till outcome of that reopening application.

Ld. counsel for the respondent has opposed this request as the appellant has not yet complied with all the requirements of earlier rejection order and further has filed the application for reopening almost after 5 months of the earlier rejection and there is no reason to reopen the regularization application without even complying with earlier deficiencies.

An application for reopening the regularization application is not a valid ground for adjournment. However, irrespective of that application which should be considered as per rules, put up for arguments on 19.08.2026.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 681/24 & 682/24

05.05.2026

Present : None for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

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

Adjournment was sought by the appellant on the last date as well. Subject to deposit the cost of Rs. 5,000/- in each appeal, the appellant is given one last and final opportunity to address arguments on the next date of hearing.

Put up for producing the receipt of cost and arguments on **08.09.2026.**

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 789/24 & 1053/24

05.05.2026

Present : Ms. Sarita Dixit, Ld. Legal Aid Counsel for the appellant.  
Sh. Pritish Sabharwal and Sh. Sanjeet Kumar, Ld. counsel for respondent joined through VC in appeal no. 789/24.  
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 1053/24.

Arguments heard at length.

Put up for orders on **12.06.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 989/24

05.05.2026

Present : Sh. Aditya Bhargava, Ld counsel for the appellant.  
None for the respondent.

Appellant seeks liberty to apply for regularization of the subject property. No permission is required from this Tribunal in this regard. The appellant is required to follow the procedure for regularization of the property as per law.

Let the same be done within 4 weeks and subject to outcome of the said regularization application, put up for arguments on **15.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 21/25, 22/25 & 23/25

05.05.2026

Present : Sh. Yogesh Sharma, Ld. Proxy counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Record has already been submitted and can be inspected by the appellant.

An application under Order I rule 10 CPC filed on behalf of the appellant is pending. Copy already supplied.

Through this application, the appellant wants to implead Smt. Urmila Sharma and Savitri Sharma as respondents to these appeals as it is stated that they are having the previous chain of documents in relation to the subject property.

Even if that is believed to be correct, the same does not make them necessary and proper party nor this Tribunal will collect evidence for the appellants. The application is dismissed.

Further, it is stated for the appellants that they intend to get the property regularized in view of the latest notification of the government where Than Singh Nagar exists in the list of the unauthorized colonies.

Subject to filing of any such application, one last and final opportunity is given to the appellant for arguments on **14.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 143/25

05.05.2026

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

Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought by Id. counsel for the respondent as his file has been misplaced.

At request, put up for arguments on **17.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 359/25

05.05.2026

Present : Sh. Sushil Vashisht, Ld. counsel for the appellant.  
Sh. S.G. Asthana, Sh. Sanjay Sharma and Sh. Krishan  
Sharma, Ld counsels for the respondent along with Sh.  
Sahil, Patwari.

Reply to the appeal and interim application, documents  
with list filed by the respondent. Copy supplied.

Ld. counsel for the appellant seeks time to go through the  
same and to argue 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  
05.05.2026

A.No. 489/25

05.05.2026

Present : Sh. Pooran Chand, Ld counsel for the appellant along with appellant.  
Ms. Jasleen Kaur, Ld counsel for the respondent through VC.

Part arguments heard.

At this stage, it is stated for the appellant that she intends to get the property regularized in view of the latest notification of the government.

Subject to filing of any such application, one last and final opportunity is given to the appellant for arguments on **10.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 635/25

05.05.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant through VC along with son of the appellant in person.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

Invalid notice has been issued to the appellant on 02.04.2026 which is attached with this status report and supplied.

Since, regularization application of the appellant is still pending, be awaited for outcome of the said application for **15.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
05.05.2026

A.No. 1036/24  
Surender Kumar Vs. MCD

05.05.2026

Present : Sh. Puneet Bhardwaj, Ld counsel for the appellant through VC along with appellant in person.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Further arguments heard.

1. The appellant has challenged the demolition order dated 06.11.2024 passed in respect of plot no. 16, Khasra no. 143/16, 100 Foota Road, Kanjhawala Industrial Area, Delhi-110081 on several grounds including that the reply of the appellant dated 26.10.2024 to the show cause notice dated 24.10.2024 was not considered and a non-speaking order was passed.
2. Ld. counsel for the respondent on the other hand has stated that there was no plausible ground raised in the reply and therefore, it was not considered.
3. I have perused the record. The impugned demolition order records that no satisfactory reply received. This shows that the reply was considered but no findings by way of speaking order were given for rejecting the contentions raised by the appellant in his reply.

.....contd.2

: 2 :

4. The Hon'ble High Court in case of **Jaspal Singh Jolly vs. MCD, 125 (2005) DLT 592** in para 13 and 14 of the judgment held :

13. Noting the decisions of the Supreme Court as *Erusia Equipment & Chemicals Ltd. v. State of West Bengal*, **AIR 1975 SC 266** (at p. 269); 106 (2003) DLT 573, *Mekaster Trading Corportion v. Union of India*; and (1990) 4 SCC 594, *S.N Mukherjee v. Union Of India.*, I had held that the aforesaid decision established the legal proposition that orders which are subject to judicial review must be in compliance with the principles of natural justice, namely (a) proper hearing, (b) decision by an unbiased mind; (c) taking into consideration all relevant factors and excluding the irrelevant factors; and (d) reasons to be recorded.

14. Needless to state, reasons enable the superior Court to effectively exercise supervisory jurisdiction. Additionally, when reasons are stated, the person affected knows the mind against him. A decision may be right, but not sound. Such a decision leaves a grievance in the mind of the person affected that he was not told why the decision was taken.”

...contd.3

: 3 :

5. The Hon'ble High Court in this judgment set aside the order of the Quasi Judicial Authority which mentions that the reply is unsatisfactory. In the present case, the respondent also rejected the reply in similar manner by stating, no satisfactory reply received.
6. Therefore, the impugned demolition order dated 06.11.2024 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 26.10.2024 submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 25.05.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.
7. The appeal stands disposed of.
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  
05.05.2026