

A.No. 367/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Anil Kumar Bhargav, 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 **14.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. B-318, Sunrise Apartment, Sector-13, Rohini in pursuance of the demolition order dated 15.04.2026. 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
06.05.2026

A.No. 368/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajesh Sharma, Ld counsel for the appellant joined 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 **03.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 374/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Krishan Kant Tiwari, 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 **18.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 377/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Amit Anand, Ld counsel for the appellant.

Submissions heard. File perused.

The aforesaid appeal is against the vacation notice dated 24.04.2026, which is not appealable before this Tribunal.

The appeal is dismissed with liberty to challenge the demolition/sealing order as per law.

Appeal stands disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 378/26

06.05.2026

Fresh appeal received. It be checked and registered.

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

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondent(s), if any.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on **09.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 379/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ujval Gupta, Ld. Proxy 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. first 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
06.05.2026

A.No. 381/26

06.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajesh Bhatia, Ld counsel for the appellant.

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondent(s), if any.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on **11.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 228/23

06.05.2026

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

File is taken up today on an application of early hearing as well as an application seeking permission to place on record certain documents, filed on behalf of the appellant. The next date of hearing in the matter is 03.08.2026. The appeal is of the year 2023. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Let notice of the application seeking permission to place on record the documents be issued to the respondent for the date fixed.

Put up on the date fixed i.e. **03.08.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 609/25

06.05.2026

Present : Sh. O.P. Gupta and Sh. Sanjeev, Ld counsel for the appellant.

File is taken up today on an application of early hearing and to decide the interim application, filed on behalf of the appellant.

Let the notice of this application be issued to the respondent.

At this stage, Sh. Ashutosh Gupta, Id. counsel for the respondent (who is present in the court in other matter) accepts notice of this application.

Put up for arguments on the interim application on **07.05.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 645/25
Kamlesh Singhal Vs. MCD

06.05.2026

Present :

Sh. K.S. Sharma, Ld counsel for the appellant.
Sh. Ashutosh Gupta, (who is present in other matter), Id.
counsel for the respondent.

File is taken up today on an application of early hearing as well as application for withdrawal of the appeal, filed on behalf of the appellant.

In view of the reason given, the application for early hearing is allowed and the matter is taken up today.

Ld. counsel for the appellant submits that he has instructions from the appellant to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal.

Statement of Id. counsel for the appellant recorded separately to this effect.

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

Both the aforesaid applications also stand disposed of.

Date of 10.08.2026 stands canceled.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 794/25

06.05.2026

Present : Sh. Sushil Kumar Bhagat, Ld. Proxy counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent.
Sh. Rudrashish Bhardwaj, Ld. counsel for the intervener.

Status report is filed by the MCD, copy supplied.

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

An application under Order I rule 10 CPC already filed on behalf of the intervener. Let the copy be supplied to the appellant as well as MCD today itself.

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 **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
06.05.2026

A.No. 816/25 & 88/26

06.05.2026

Present : Sh. Gaurav Sharma, Ld counsel for the appellant.
Sh. Subham Bajaj, Ld counsel for the respondent in appeal no. 816/25. Fresh Vakalatnama filed, same is taken on record.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 88/26.
Sh. Sanjeev Kumar, AE(B), South Zone, in person.

Status reports filed by the MCD, copy supplied.

The record has already been submitted in both the appeals.

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

At request, put up for arguments on **03.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 840/25

06.05.2026

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

Status report is filed by the MCD, copy supplied.

Ld. counsel for the respondent seeks some time to file the record. Let the same be filed and ld. counsel for the appellant can inspect the record.

At request, put up for awaiting record as well as arguments on **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 54/26

06.05.2026

Present : Sh. Hemant Sharma, Ld counsel for the appellant along with appellant.
Ms. Harita Mehta, Ld counsel for the respondent.
Sh. Shashank Shekhar, Ld. counsel for the intervener joined through VC.

Status report is filed by the MCD, copy supplied.

Record has already been submitted.

Ld. counsel for the appellant has drawn my attention to the order passed by the Hon'ble High Court dated 26.09.2025 in W.P.(C) no. 15065/25 wherein the MCD stated that Flat no. 81 which belongs to the intervener has also been booked vide show cause notice dated 15.09.2025 and it is stated that no action has been taken against the property of the intervener despite this booking.

Respondent/MCD is directed to file the status report in respect of booking dated 15.09.2025 of the flat no. 81 as well informing as to what action was taken against the Flat no. 81 pursuant to this booking, on the next date of hearing.

It is stated for the intervener that an application under Order I rule 10 CPC has been e-filed yesterday. Let the hard copy be filed and copy of the same be supplied to the appellant as well as MCD.

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

At request, put up for arguments on the application under Order I rule 10 CPC as well as appeal on **09.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 79/26 & 81/26

06.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

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

Ld. counsel for the appellant submits that the appellant is ready to remove the non-compoundable deviations to bring it within the regularization plan already accorded and for that purpose, the property may be desealed temporarily for four weeks.

Since, the appellant voluntarily wants to demolish the non-compoundable deviations, let the property be desealed for 4 weeks from 11.05.2026 at 12.00 noon and same shall re-sealed on 11.06.2026 at 12.00 noon.

In the meantime, the appellant shall demolish the non-compoundable deviations. It is made clear that the appellant shall not create any third party interest in the property nor part with possession of the property to any other person.

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The respondent shall inspect the property before resealing on 11.06.2026 and file status report as to whether all the non-compoundable deviations have been removed and the property has been brought to the limit of regularization plan, on next date of hearing.

At request, put up for awaiting further status report and arguments on **14.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 86/26 & 87/26

06.05.2026

Present : Sh. Harshit Jain, Ld counsel for the appellant through VC
and Sh. Utsav, advocate in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The record has already been submitted.

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

At request, put up for arguments on **01.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 170/26

06.05.2026

Present : Sh. Shrey Tanwar, Ld counsel for the appellant.
None for the respondent.

None has appeared for the respondent despite repeated calls since morning. No adverse order is being passed today.

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

Record has already been submitted.

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

At request, put up for arguments on **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 194/26

06.05.2026

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

Status report is filed by the MCD, copy supplied.

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

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

At request, put up for arguments on **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
06.05.2026

A.No. 245/26

06.05.2026

Present : Sh. Rahul Malik, Ld counsel for the appellant joined through VC and Sh. Amar Dev, Advocate in person.
Sh. Sagar Kumar, Ld counsel for the respondent joined through VC.

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

Let the record be submitted within 4 weeks from today and it can be inspected by the ld. counsel for the appellant after that.

At request, put up for arguments on **09.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 297/26

06.05.2026

Present : Sh. Abhishek Mishra , Ld counsel for the appellant.

File is taken up today on the applications of early hearing, seeking amendment in the appeal and to place on record the additional documents, filed on behalf of the appellant. The next date of hearing in the matter is 10.08.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application for early hearing is dismissed.

Let notice of the other applications be issued to the respondent for the date fixed.

Put up on the date fixed i.e. **10.08.2026** for arguments on the aforesaid application as well as purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 331/26

06.05.2026

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

Status report is filed by the MCD, copy supplied.

The record has been produced. It be deposited with Registry. Appellant is at liberty to inspect the record.

It is stated by the appellant that he has already applied for regularization yesterday and the copy of the said application has been placed on record.

Let the status report qua this regularization application be filed on the next date of hearing.

Put up for arguments on **03.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 970/13

06.05.2026

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent
through VC.

The civil suit in respect of subject property is stated to be
now listed for 03.07.2026 before the court concerned.

At request, put up for arguments on **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 528/19

06.05.2026

Present : Ms. Shreya Mishra, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

The appeal pertains to the year 2019. However, 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 **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
06.05.2026

A.No. 355/21 & 356/21
Priyanka Ranjan Vs. MCD

06.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the appellant submits that he has instructions from the appellants to withdraw the aforesaid appeals as the appellant had already obtained the completion certificate in respect of the property in question and he may be permitted to withdraw the aforesaid appeals.

Statement of Id. counsel for the appellant recorded separately to this effect.

In view of the statement made by the Id. counsel for the appellant, the aforesaid appeals are disposed off as withdrawn.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 530/22

06.05.2026

Present : Sh. Sachin Kumar, Ld counsel for the appellant along with husband of the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

The appellant was using the subject premises for running Aata-chaki without a valid license at the relevant time, which is now a permitted user in household area subject to valid license which the appellant now possesses.

Let the respondent to calculate the misuser/conversion charges after temporary desealing the property within a week from today and to file the status report in this regard. The property shall be resealed after inspection.

Put up for awaiting status report and arguments on **03.07.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 163/24, 164/24 & 165/24

06.05.2026

Present : Sh. V.K. Mantoo, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The regularization application of the appellant is still pending.

Be awaited for further status report in this regard 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
06.05.2026

A.No. 189/24, 324/24 & 439/24

06.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent along
with Sh. Sanjeev Kumar, AE(B), South Zone, MCD.

Status report is filed by the MCD, copy supplied.

Part arguments heard.

Put up for further arguments on **03.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 237/24 : Sadhna Rani Vs. MCD

A.No. 589/25 : Dinesh Kumar Khandelwal & Ors. Vs. MCD

06.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Kartik Wadhwa, Ld counsel for the intervener in appeal no. 237/24.

1. Arguments heard at length. File perused.
2. The brief facts necessary for disposal of these two appeals are that the appellant in appeal no. 237/24 has challenged the sealing order dated 19.03.2024 passed in respect of unauthorized construction in the shape of amalgamation in property no. 1170, Kucha Mahajani with property no. 1240, Kucha Mahajani, Chandini Chowk, Delhi-110006 at the level of ground floor M/s Neha Jewelers Pvt. Ltd. whereas in the appeal no. 589/25, the 15 appellants have challenged the demolition order dated 16.07.2024 in respect of unauthorized construction in the shape of ground to fourth and partly fifth floor in property no. 1240 Kucha Mahajani, with amalgamation at ground floor with property no. 1170, Kucha Mahajani, Chandini Chowk, Delhi-110006.
3. The basis ground for challenge in these two appeals to the demolition and sealing order is that there is no fourth floor in property no. 1240 and there are only

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ground, mezzanine, first, second and third floor in this property and further the amalgamation between the two properties no. 1170 and 1240 is prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Reliance in this regard has been placed on several sale deeds executed in favour of the appellants.

4. Ld counsel for the respondent/MCD on the other hand has argued that fresh unauthorized construction has been raised on the terrace of the third floor if there is a mezzanine floor after the ground floor or at the terrace of fourth floor if there is no mezzanine floor and therefore for violating the status quo to be maintained under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011, the protection under this Act ceases to exist and therefore liable to be demolished.
5. Ld counsel for the intervener on the other hand has argued in the appeal no. 237/24 that the title documents of the appellant shows that there is no passage between property no. 1170 and 1240 at ground floor level at the time of partition deed executed in 1999 and as per sale deed executed in 2005 in favour of M/s Neha Jewelers Pvt. Ltd. and the

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properties have been amalgamated at ground floor level after purchasing the same and this appeal has no merits.

6. I have perused the record. In appeal no. 589/25, in the office record of the respondent, there is a sale deed at page no. 312/C dated 17.06.2005 which in para 12 of the sale deed at page no. 305/C of the record mentions that the property i.e. property no. 1240 has entrance from main as well as property no. 1170, Kucha Mahajani. This clearly shows that the amalgamation between the two properties is prior to 08.02.2007. Further this sale deed is in respect of a shop at mezzanine floor which prove that there is a mezzanine floor in property no. 1240 after the ground floor and as such there are only ground, mezzanine, first, second and third floor in this property. The appellants are not concerned with the construction if any raised at the terrace of the third floor i.e. the fourth floor. They cannot be made to suffer for unauthorized construction at the terrace of the third floor with which they have no concerned and are owners of only their respective shops in the property no. 1240.

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7. Further, at page no. 236/C of the office record, there is another sale deed dated 22.06.2005 of a shop at third floor of property no. 1240 and there is a site plan annexed with this sale deed at page 227/C of the record. This site plan shows that there are 18 shops at the third floor at least in June, 2005 which was much prior to 08.02.2007.
8. These facts clearly show that there is a mezzanine floor in property no. 1240, there are 18 shops on the third floor and there is amalgamation between property no. 1170 and 1240 at least since 08.02.2007 which is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
9. The appellants had no concern with the unauthorized construction on the terrace of the third floor and the MCD is at liberty to take action in respect of unauthorized construction at the terrace of the third floor.
10. Coming to the argument of the intervener that there was no amalgamation at ground floor level between these two properties, the sale deeds filed in appeal no. 589/25 are sufficient to hold that there was amalgamation between the two properties. Even the

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site plan annexed with the sale deed dated 17.06.2025 in respect of a shop at mezzanine floor of property no. 1240 does not show any passage on the backside, but there is clear recital in para 12 of this sale deed that the property entrance from main road as well as property no. 1170. In these facts the argument of the intervener that the site plan of the partition deed in favour of appellant Sadhna Rani does not show any passage in the rear of the property is of no help.

11. Further, there are documents filed by the appellant in appeal no. 237/24 which shows that property no. 1170 and 1240 have been amalgamated since long. This certificate of Importer-Exporter code at page no. 230/B of this appeal show that the same is dated 11.02.2004 and records the address of both the properties as 1170/1240. Similar is the certificate of Incorporation at page 230-A of this appeal which show that the company was incorporated on 19.12.1997 with address 1170/1240.

12. In these facts, the amalgamation of property no. 1170 and 1240 is old and prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and therefore the sealing order dated

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13.06.2023 assailed in appeal no. 237/24 is kept in abeyance till this Act in force.

13. Further, the documents filed in the other appeal show that the mezzanine floor exist in the property at least since 2005 and there are only ground, mezzanine, first, second and third floor in the property and the third floor also exists at least since 2005 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

14. In these fact even the demolition order dated 16.07.2024 in the other appeal is kept in abeyance in respect of construction at ground, mezzanine, first, second and third floor of property no. 1240. The respondent at liberty to take action against the fourth floor. The action against ground, mezzanine, first, second and third floor can be taken only after the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 ceases to exist.

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15. Both the appeals are disposed off.
16. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 887/24

06.05.2026

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

An adjournment is sought by the Id. counsel for the respondent as he is not ready with the arguments today.

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

Put up for arguments on **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 913/24

06.05.2026

Present : Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. V.K. Mantoo, Id. counsel for the intervener.

An adjournment is sought on behalf of the appellant as 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.

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
06.05.2026

A.No. 1071/24

06.05.2026

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

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

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

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
06.05.2026

A.No. 28/25

06.05.2026

Present : Husband of the appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Adarsh Kumar, Ld. counsel for the intervener.

An adjournment is sought on behalf of the appellant as his counsel is held up before some other court.

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

Put up for arguments on **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
06.05.2026

A.No. 35/25
Ahsansur Rahim Vs. MCD

06.05.2026

Present : None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Despite various calls none is appearing on behalf of the appellant in the Tribunal or through VC.

Put up at 2.00 pm.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

06.05.2026

At 2.45 pm

Present : None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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 even on the previous two consecutive dates as well.

It is 2.45 PM. It appears that the appellants are not interested in pursuing this appeal. The present appeal is 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

06.05.2026

A.No. 45/25

06.05.2026

Present : Ms. Sonu Kirar, Ld. proxy counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent through
VC along with Sh. Akash Tanwar, Adv in person.

An adjournment is sought on behalf of the appellant as
main counsel has suffered with an heart attack and is
hospitalized.

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

Put up for arguments on **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 116/25

06.05.2026

Present : Appellant in person.
Sh. Avishek Kumar, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as his counsel is busy in the marriage of his nephew (bhanja).

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 **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 188/25 & 189/25

06.05.2026

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

At joint request, 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
06.05.2026

A.No. 346/25

06.05.2026

Present : Ms. Bhawna Sood, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

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

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 **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 560/25 & 561/25

06.05.2026

Present : Sh. Vinit Chadha, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent through
VC along with Sh. Akash Tanwar, Advocate in person.

1. An application under Order VII rule 14 CPC filed by the appellant in appeal no. 561/25 to place on record the additional documents. Copy supplied.
2. Arguments heard on the said application.
3. Without prejudice to the rights of the respondent, the documents are taken on record. The application stands disposed of.
4. Argument also heard on the application u/s 5 of the Limitation Act.
5. The appellants have challenged the demolition orders dated 28.06.2024 in these appeals filed on 06.08.2025 and the condonation of delay has been sought on the ground that the demolition orders dated 28.06.2024 were never served upon the appellants till the vacation notice was affixed on the premises on 12.07.2025 and therefore the delay should be condoned as the limitation shall start from the date of knowledge and not from the date of order.

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6. Ld counsel for the respondent on the other hand has argued that the demolition orders were duly served through speed post on 03.07.2024 for which track consignment report has been filed and therefore, there are no grounds to condone the delay.
7. I have perused the record. This is second round of litigation between the parties as the earlier two appeals no. 292/23 and 293/23 were remanded back vide order dated 05.01.2024. The appellants thereafter duly appeared before the Quasi Judicial Authority and after hearing them, the two demolition orders were passed on 28.06.2024 and were sent through speed post on 02.07.2024 and were delivered to the appellant Anuj Badhwar on 03.07.2024 for which the track consignment reports are already on record. The demolition orders were duly received by Anuj Badhwar through speed post and the limitation to challenge the orders shall start from 03.07.2024. The argument of the appellants that the orders were never received or that it came to their knowledge only when the vacation notice was affixed, is factually incorrect. The appellants did not mention of this fact of service of demolition orders through speed post in the

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application under consideration and deliberately concealed this fact and wrongly claimed that they had no knowledge of the demolition order.

8. The appellants have not approached this Tribunal with true facts regarding of service of demolition orders through speed post and are seeking condonation of delay on false grounds. The ground for seeking condonation of delay is mala fide and incorrect. The delay is inordinate and unexplained and there is no reason to condone the same.
9. The application is dismissed and resultantly the appeals are also dismissed.
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
06.05.2026

A.No. 829/25

06.05.2026

Present : Ms. Ritu Sharma, daughter-in-law of the appellant in person.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as her counsel is not available today due to death of his Masi.

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 **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
06.05.2026

A.No. 881/25

06.05.2026

Present : Sh. Neeraj Kumar, Ld counsel for the appellant joined through VC along with appellant in person.
Sh. Sagar Kumar, Ld counsel for the respondent joined through VC.

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

Let the concerned DC be present with explanation and record on the next date of hearing, failing which the appeal shall be decided without record.

Put up for awaiting record and arguments on **05.06.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 272/26
Chanderalekha Vs. MCD

06.05.2026

Present : Sh. Anish Kashyap, Ld counsel for the appellant.

Heard. File perused.

The aforesaid appeal is against the vacation notice dated 09.03.2026, which is not appealable before this Tribunal.

The appeal is dismissed with liberty to challenge the demolition/sealing order as per law.

Appeal stands disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026

A.No. 515/23 & 542/23

06.05.2026

Present : None for the appellant.
 Sh. Akhil Mittal, Ld counsel for the respondent.

Vide separate common judgment of even date, the appeal no. 515/23 is allowed and the appeal no. 542/23 is dismissed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.05.2026