

A.No. 393/26

13.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rambir Chauhan, Ld counsel for the appellant.

Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/DDA through concerned Chief Legal Advisor 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 **22.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 394/26

13.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Vishwajeet Singh and Sh. Ankit Bhardwaj, 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 **03.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 395/26 & 396/26

13.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Dharamvir Singh and Ms. Shruti Jain, Ld counsels for the appellants.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **26.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 808/25

13.05.2026

Present : Sh. Manmeet Singh Maini, Ld counsel for the appellant joined through VC along with Proxy counsel.
Sh. Dharamvir Gupta, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy supplied to one proxy counsel for the appellant, who is present in the court.

The appellant has challenged the demolition order dated 20.11.2024 and the appeal was filed on 27.11.2025. There is a delay of one year and there is no application seeking condonation of delay. Ld. counsel for the appellant seeks time to file such application.

The appellant has also impleaded two private respondent no. 3 and 4 only because the appellant is facing several civil litigations with them. They are neither necessary nor proper party to this appeal and they are deleted from the array of the parties.

Put up for arguments on the appeal 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
13.05.2026

A.No. 870/25 & 512/23

13.05.2026

Present : Sh. D.K. Singhal, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 870/25. Fresh Vakalatnama filed, same is taken on record.
Sh. Amit Kumar, Ld. counsel for the respondent in appeal no. 512/23.

Status report is filed by the MCD in appeal no. 870/25, copy supplied. The record has been produced. It be deposited with Registry.

Arguments heard on the applications seeking condonation of delay of about 129 days in filing the aforesaid appeals.

The appellant has challenged the rejection order of the regularization application dated 03.04.2024 and the appeal has been filed on 23.12.2025. As per the appellant, the copy of the impugned order was received on 13.08.2025 and the delay thereafter occurred because of ailments of the appellant.

I have perused the record. Except of three prescriptions of OPD visit, one of which is prior to 13.08.2025, there is no medical record to show that the appellant was not capable of filing of appeal because of his ailments. Further, he also appeared physically in the connected appeal no. 512/23 on 08.09.2025 and the same clearly

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show that he was physically fit to contact the counsel and to file the appeal in time. Though on merits, there are no grounds to condone the delay, yet with an endeavour to decide the appeals on merits, the delay is condoned subject to deposit a cost of Rs. 20,000/- with the Registry. The applications stand disposed of.

At request of the Id. counsel for the appellant and also subject to payment of cost, put up for arguments on 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
13.05.2026

A.No. 275/26

13.05.2026

Present : Sh. Ashwani Jha, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC and Sh. Vaibhav Sanwal, Adv. in person.
Memo of appearance filed.

The record has already been submitted.

Ld. counsel for the respondent seeks one week time to file the status report.

At request, put up for arguments on **06.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 306/26

13.05.2026

Present : Sh. Zuber Ali, Ld counsel for the appellant joined through VC.
None for the respondent.

None has appeared for the respondent despite repeated calls since morning. Record has also not been produced.

No adverse order is being passed today.

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

Put up for awaiting record and 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
13.05.2026

At this stage, Ms. Sidhi Arora, counsel for the MCD has appeared and filed vakalatnama. In view of this, let notice need not to be issued to the respondent/MCD.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 338/26

13.05.2026

Present : Sh. Zafar Abass and Sh. Himanshu Gupta, 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.

Arguments heard at length.

Put up for orders on **14.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 341/26

13.05.2026

Present : Sh. Afroz Khan, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Memo of appearance filed on behalf of the appellant.

Time sought to produce the office record by the Id.
counsel for the MCD.

Let the record be submitted and it can be inspected by
the counsel for the appellant.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 86/17
Raj Kumar Vs. MCD

13.05.2026

Present : Sh. Rakesh Lakra, Ld counsel for the appellant along with appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

Arguments heard. File perused.

The appellant has challenged the demolition order dated 28.10.2015 passed in respect of first floor, DDA Flat no. 1239/53, DDA Flats, Kalkaji, New Delhi on several grounds including that the show cause notice dated 19.10.2015 was received only on 30.10.2015 as the same was posted through speed post on 29.10.2015.

The respondent on the other hand has claimed that demolition order dated 28.10.2015 was posted on 29.10.2015 and not the show cause notice and further the show cause notice was served through pasting in the presence of two independent witnesses.

I have perused the record.

The show cause notice dated 19.10.2015 is reported to be served through pasting on 20.10.2015 in the presence of two witnesses, but except of the short initials of these two witnesses, their particulars and identity are not mentioned. Further, photograph of pasting at page 1/C of the record is so blur that it does not reflect as to when

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and where the same was pasted. The show cause notice infacts, was never served upon the appellant as claimed by the respondent and therefore, opportunity of being heard was not provided.

In these facts, the demolition order dated 28.10.2015 is set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 02.06.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The 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
13.05.2026

A.No. 181/17, 188/17, 1044/17, 1050/17 & 331/18

13.05.2026

Present :

Sh. K.N. Singh, Ld counsel for the appellant in appeal no. 331/18 along with appellant.

Sh. Tarun Gullia and Sh. Milan Garg, Ld. counsels for the appellant in appeal no. 181/17 and 1044/17.

Sh. Divyendu Sorayan, Ld. counsel for the appellant in appeal no. 188/17 and 1050/17.

Some of the appellants are also in person.

Sh. Madan Sagar, Ld. counsel for the respondent in appeal no. 1044/17.

Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent in appeal no. 188/17 and 1050/17 through VC.

Sh. Ashutosh Gupta, counsel the respondent.

Ms. Beena Sharma, Ld. counsel for the respondent in appeal no. 331/18.

Final arguments heard partly.

Written arguments filed by the appellant in appeal no. 331/18. Joint written arguments also filed in appeal on 188/17 and 150/17.

Ld. counsel for the appellant in appeal no. 181/17 and 1044/17 seeks time to file written arguments and similar request is made by the ld. counsel for the respondents in all the five appeals. Let the same be so filed with advance copy to the other side.

Put up for arguments on **02.07.2026**.

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

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD/13.05.2026

A.No. 441/21

13.05.2026

Present : Sh. Gurpreet Singh, Ld counsels for the appellant joined through VC
Sh. Umesh Kumar Burnwal, Ld. counsel for the respondent joined through VC along with Sh S.C. Mishra, ALO and Sh. Faiz Ahmad, AE(B) in appeal no. 441/21.

An adjournment is sought on behalf of the appellant as the counsel is not carrying the case file with him..

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 **20.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 66/22

13.05.2026

Present : Sh. V.K. Bajaj, Ld counsel for the appellant.
Sh. Umesh Kumar Burnwal, Ld. counsel for the respondent joined through VC along with Sh S.C. Mishra, ALO and Sh. Faiz Ahmad, AE(B).
Sh. Akhilesh Kumar Chauhan, Ld. counsel for the intervener.

Status report is filed by the MCD, copy supplied.

As per this status report, there is only one ingress point at the third floor and that point was sealed.

At request, put up for arguments on the application seeking condonation of delay in filing the appeal on **20.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 263/22

13.05.2026

Present : Sh. I. Ahmad, Ld counsel for the appellant along with appellant.
Sh. Shivam Srivastava, Ld. Proxy counsel for Sh. Parmesh Bali, counsel for the respondent.

Appellant seeks more time to file the documents.

An adjournment is also sought on behalf of the respondent as main counsel Sh. Parmesh Bali is held up before Hon'ble High Court

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

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
13.05.2026

A.No. 451/22

13.05.2026

Present : Sh. Kashish Dhawan, Ld. Proxy 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 Sh. C.M. Grover is out of station.

The appellant has been seeking adjournment repeatedly since the interim protection was granted on 02.08.2022. However, subject to cost of Rs. 10,000/- to be deposited with the Registry of this Tribunal, one last and final opportunity is granted to the appellant to address the arguments in the matter on the next date of hearing.

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
13.05.2026

A.No. 40/24

13.05.2026

Present : Sh. Suhail Azhar, Ld counsel for the appellant joined through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Vijay Kinger, Ld. counsel for the interveners/ applicants.

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

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 **23.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 221/24 & 376/25

13.05.2026

Present : Sh. Hemant Choudhary, Ld counsel for the appellant.
Sh. Ashutosh Guupta, Ld counsel for the respondent in appeal no. 221/24.
Ms. Vasu Singh, Ld. counsel for the respondent in appeal no. 376/25 joined through VC.

Arguments heard on the application under Order VI rule 17 CPC filed by the appellant seeking amendment in the prayer clause of the appeal no. 221/24 wherein inadvertently, instead of sealing order, demolition order was mentioned. Since the amendment sought is formal and is not opposed, the same is allowed. The amended appeal is taken on record. The application stands disposed of.

Further arguments heard on the applications seeking condonation of delay in appeal no. 221/24. As per the appellant, the sealing order dated 20.06.2022 came to his knowledge only on 21.02.2024, when the property was partly sealed. The appeal has been filed on 26.03.2024 and from the date of knowledge, there is a delay of couple of day and the condonation of the same is not opposed. Infacts, the delay in filing the appeal is condoned.

The applications stand disposed of.

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At request, put up for arguments on appeals 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
13.05.2026

A.No. 536/24

13.05.2026

Present : Sh. Rajiv Bajaj, Ld counsel for the appellant joined through VC.
Sh. R.K. Jain, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for the appellant submits that the appellant intends to get the property regularized and seeks adjournment.

Though, the necessary steps should have been taken by now and same cannot be a ground for adjournment, however, at request, put up for further arguments on **21.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 629/24

13.05.2026

Present : Sh. Vijay Gaur, Ld counsel for the appellant.
Ms. Mehak Arora, Ld counsel for the respondent.

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

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

Put up for arguments on **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
13.05.2026

A.No. 100/25

13.05.2026

Present : Appellant (who himself is an advocate) in person.
None for the respondent.

None has appeared for the respondent despite repeated calls since last two consecutive dates.

No adverse order is being passed today.

The appellant has also moved an application on 26.08.2025 under Order XXXIX rule 2-A CPC, notice of which has not yet been issued.

Issue notice of this application to the MCD as well as fresh notice to the MCD for ensuring the presence of the counsel on the next date of hearing.

Put up for arguments on the pending applications as well as appeal 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
13.05.2026

A.No. 120/25, 235/25 & 236/25

13.05.2026

Present : Sh. Parveen Rao, Ld counsel for the appellant along with appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent in appeal no. 120/25.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeals no. 235/25 & 236/25.

As per the appellant, the rectification has been done and the lift now no longer goes to the terrace of the property and the compliance report has been filed before the MCD yesterday.

Let the same be inspected and the status report be filed by the respondent on or before the next date of hearing.

Put up for awaiting report and arguments on **18.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 140/25

13.05.2026

Present : Ms. Manu, Ld counsel for the appellant.
Sh. Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent

Fresh Vakalatnama filed on behalf of the appellant, same is taken on record

Some time sought on behalf of the appellant to go through the record.

At request, put up for arguments on **13.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 8/25

13.05.2026

Present : Sh. Vasu Dev, Ld counsel for the appellant joined through VC.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for respondent.

Previous cost has not yet been deposited.

Ld. counsel for the appellant wants to withdraw the present appeal and to deposit the previous cost.

Let the cost be deposited first before withdrawing the appeal.

At request, put up for awaiting information qua deposit of cost from the Registry as well as for recording the statement of the appellant/counsel qua withdrawal of the said appeal, on **06.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 339/25

13.05.2026

Present : Sh. Anil Goel, Ld counsel for the appellant joined through VC.

None for the respondent.

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

No adverse order is being passed today.

Put up for arguments on **22.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 362/25

13.05.2026

Present : Sh. Piyush Pawash and Sh. Ritik Kumar, Ld counsel for
the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

At request, 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
13.05.2026

A.No. 522/25

Vinay Tanwar & Ors. Vs. MCD

13.05.2026

Present : Sh. Shashi Pratap Singh, Ld counsel for the appellant.
Sh. Ranjeet Pandey, Ld counsel for the respondent.
Sh. Pulkit Garg, Ld counsel for the intervener. Fresh Vakalatnama filed, same is taken on record.

Arguments heard at length.

1. The appellant has sought remand back of the matter on the ground that the correct address of the property was not mentioned in the show cause notice despite specific reply given by the appellant seeking proper details of the property and since the correct address of the property was not mentioned the matter should be remanded back for fresh decision.
2. Ld counsel for the respondent/MCD has stated that the matter may be remanded back for fresh adjudication by mentioning the correct address of the property.
3. Ld counsel for the intervener on the other hand has argued that there is no dispute regarding identity of the property. The property number is WZ-121A, Naraina Village, New Delhi and the number 30A given to this property is a private number and the MCD has passed demolition order in respect of the correct property and therefore there is no ambiguity in the

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demolition order as far as the identity of the property is concerned.

4. I have perused the record. The show cause notice dated 30.07.2024 was issued in respect of property no. WZ-121-A, Naraina Village, New Delhi in respect of unauthorized construction in the shape of entire ground floor with projections on government land and installation of multiple shutters. This show cause notice was replied by the appellant stating that the show cause notice does not relate to the property of the appellant no. WZ-121-A, (30A), Naraina Village. It was claimed that there are multiple properties adjacent to each other with prefix WZ-121-A. There is no unauthorized construction in property WZ-121-A, (30A), Naraina Village. It was stated that once a proper show cause notice is issued regarding the property of the appellant he will explain his stand. After considering his reply, the respondent passed the impugned demolition order dated 16.06.2025 stating that the property booked is WZ-121-A/WZ-121A (30A), Naraina Village. The Geo Tag photographs do not leave any doubt that unauthorized construction has been raised along with projections on government land. The demolition order therefore is clear about the

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identity of the property which is mentioned as WZ-121A (30A) by the appellant.

5. However, since the appellant claims that the correct property was not mentioned in the show cause notice, the impugned demolition order is now considered as show cause notice and is considered being passed for property no. WZ-121A (30A), Naraina Village, New Delhi. The same has already been served upon the appellant. Let the reply to the same be filed within 2 week with documents by the appellant before Quasi Judicial Authority and the Quasi Judicial Authority after considering the reply and documents and after giving personal hearing to the appellant shall pass speaking order within 4 week of conclusion of hearing.
6. The appellant shall appear before the Quasi Judicial Authority on **28.05.2026 at 2.00 PM** and will not seek any adjournment. The demolition order is set-aside, the record of the respondent be sent back. The appeal file be listed for status report in compliance to this order on **23.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 557/25

13.05.2026

Present : Sh. Yash Aggarwal, Ld counsel for the appellant joined through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.
Sh. S.M. Pandey, Ld. counsel for the intervener along with intervener.

Record has not yet been submitted.

Let the same be submitted.

At request, put up with appeal no. 537/25 on **18.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 654/25

13.05.2026

Present : Sh. Rohit Kumar Modi and Ms. Anusuya, Ld counsels for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Vinod Sharma, Id. counsel for the respondent no. 2.

Brief written submissions filed on behalf of the appellant to the reply of the respondent no. 2. Copy supplied.

Part arguments heard.

Ld. counsel for the R-2 has stated that the Management Committee of the Society shall have no objection, if the appellant install a hydraulic lift, which shall not obstruct any of the essential supply.

Let the counsel for the appellant seek instructions in this regard and apprise on the next date of hearing.

At request, put up for further arguments on **20.05.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 721/25

Brij Mohan Singhal Vs. MCD

13.05.2026

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

Record has been produced and already inspected by the appellant

Arguments heard.

1. The brief facts necessary for disposal of this appeal are that the appellant is the owner of property no. 3433-3434, Gali Bajrangbali, Sita Ram Bazar, Delhi-110006 measuring 160 sq. yards. This property was booked for unauthorized construction in the shape of entire ground, first and second floor on 05.06.2025. The show cause notice was duly replied by the appellant who continued to raise the construction and till the Impugned demolition order dated 01.10.20258 was passed. The property was constructed upto third floor.
2. This order has been challenged on the ground that the respondent itself issued an advisory dated 03.06.2025 declaring the property as dangerous with advice to take corrective measures and thereafter immediately it was booked on 05.06.2025 when the appellant was carrying out only repairs in the property as advised.

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The property from ground to third floor is old and existing prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. The appellant is ready to get it regularize as permitted under clause 2.8 of UBBL-2016 and therefore till the regularization application is decided, the demolition order should be kept in abeyance or set-aside.

3. Ld counsel for the respondent on the other hand has argued that the appellant under pretext of repairs demolished the entire property and has raised fresh unauthorized construction from the scratch and has converted a residential property into a commercial property which cannot be protected nor clause 2.8 of UBBL-2016 can come to the rescue of the appellant who malafidely kept on raising construction despite show cause notice. It was argued that in view of the orders dated 13.05.2025 passed by Hon'ble Supreme Court of India in SLP (Civil) 35312/24 titled as Dr. S. Jaitley & Anr. Vs. MCD, no protection can be granted to the appellant.
4. I have perused the record. There are photographs in the office record which clearly reflect unauthorized construction being raised in the property from ground floor till third floor by demolishing the existing

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structure. The appellant has claimed to have carried out only repairs after the advisory dated 03.06.2025 but the photographs with Geo Tag clearly shows that the property was reconstructing after the demolishing the old structure. The appellant did not bother to stop this unauthorized construction even after the service of the show cause notice dated 05.06.2025 when the construction was only up to the second floor. The appellant continued with the unauthorized construction and at the time of demolition order dated 01.10.2025 the third floor was raised. The act of the appellant of continuing with the unauthorized construction despite service of show cause notice itself disentitle the appellant to seek regularization under clause 2.8 of UBBL-2016. Even otherwise the demolition order is dated 01.10.2025 and the appellant after getting interim protection from this Court on 30.10.2025, did not bother to apply for regularization for last more than 6 months. Had there being any bonafide in the request seeking regularization, the same should have been done by know. The appellant intentionally did not apply for regularization till today and now is trying to take benefit of his own wrongs by seeking protection till regularization is applied and decided.

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5. The order of Hon'ble Supreme Court of India passed in the case of Dr. S. Jaitley (Supra) is also relevant as the Hon'ble Supreme Court of India in this order clearly mentioned that no further construction to convert a residential house into commercial complex shall be allowed. The Hon'ble Supreme Court of India stayed the construction of residential premises to commercial complexes in the relevant.
6. The appellant not only carried out unauthorized construction despite booking but also has converted a residential premises to a commercial premise. He is not entitled to any protection as has not approached the Court with clean hands. The appeal is devoid of merits. The same is dismissed.
7. 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
13.05.2026

A.No. 735/25

13.05.2026

Present : Sh. Atul Kumar Gupta and Sh. Akash Gupta, Ld counsels
for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Ld. counsel for the appellant seeks time to apply for
regularization of the property.

Let the same be done within 4 weeks from today.

Subject to that, put up for arguments on **02.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 767/25

13.05.2026

Present : Sh. Hardik Aggarwal, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Respondent has not yet provided the details of the non-compoundable deviations volunteered by the appellant to get it removed.

Let the same be supplied today itself and the appellant shall remove the said amalgamation as well as non-compoundable deviations in the property.

It is stated by the ld. counsel for the appellant that amalgamation has now been removed.

Let the property be inspected by the MCD and detailed status report regarding removal of amalgamation and non-compoundable deviations be filed by the MCD/respondent by the next date of hearing.

Put up for awaiting report and arguments on **24.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026

A.No. 5/23

13.05.2026

Present : Sh. Sheikh Imran Alam, Ld counsel for the appellant.
None for the respondent.
None for the intervener.

Vide separate judgment of even date, the present appeal is dismissed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
13.05.2026