

A.No. 413/26 & 414/26

20.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rachit 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 **22.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellants i.e. Flat no. 931 and 933, Sector-A, Pkt. B and C, Vasant Kunj, New Delhi in pursuance of the demolition order dated 28.04.2026. 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  
20.05.2026

A.No. 832/25

**Om Prakash Vs. MCD**

20.05.2026

Present : Sh. Sahil Kakkar, Ld counsel for the appellant along with appellant.  
Sh. Sunil Kumar Gupta, Ld. counsel for the respondent along with Sh. R.D. Chaudhary, AE(B). 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.

Arguments heard at length.

1. The appellant who is the owner of property No.WZ-29, plot No.47, Village Tihar, New Delhi has challenged the revocation of sanctioned building plan order dated 31.07.2025 vide which the respondent has revoked the sanctioned building plan of this property obtained under Saral Scheme. It was argued for the appellant that the sanctioned building plan was obtained through licensed Architect and the appellant was not aware of any booking for unauthorized construction of his property and came to know about the irregularities and cheating by the Architect by not submitting reply to the show cause notice. The appellant was never given any opportunity to apply for regular sanction of building plan instead of Saral

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Scheme. No opportunity of hearing was given and the impugned order is not sustainable and should be set aside as the appellant is owner of entire plot which was sub-divided way back and the appeal should be allowed.

2. Ld. counsel for the respondent on the other hand argued that sanction building plan under Saral Scheme was obtained by misrepresenting the facts and therefore, same has been rightly revoked and the appeal should be dismissed.
3. I have perused the record. The appellant obtained a sanctioned building plan on 15.03.2024 under the Saral Scheme for an area measuring 101.11 sq.yds. A Civil Suit was filed by one Mohd. Intezar stating that the sanctioned building plan has been obtained by fraudulent means. Thereafter, the documents uploaded by the appellant through his Architect for obtaining sanctioned building plan under Saral Scheme were examined and it was found that the appellant has not filed Lal Dora Certificate, complete ownership chain, approved layout plan, the documents of sub-division and also that the property is booked for unauthorized construction on 18.10.2023. Show cause notice was issued but since

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no reply was received the sanctioned building plan was revoked. The appellant preferred writ petition against this revocation before Hon'ble High Court bearing W.P.(C) No.7951/2025 which was allowed by the Hon'ble High Court and directions were given to MCD to give opportunity of hearing and the revocation order dated 15.05.2025 was kept in abeyance. The appellant thereafter appeared before the respondent and submitted his documents. Thereafter, this impugned order was passed on the ground that Lal Dora Certificate has not been submitted. The size of the plot was initially 183 sq.yds. which increased to 192.6 sq.yds and how it increased was not explained by the appellant. Further, the plot was sub-divided into two parts i.e. 91.50 sq.yds and 101.11 sq.yds. and the sanction was obtained only for plot size of 101.11 sq.yds giving benefit of extra coverage and FAR as per plot size.

4. Record further shows that the appellant purchased this plot measuring 101.11 sq.yds. on 06.07.2023 from one Sandeep Chugh. Mr. Sandeep Chugh and Smt. Kailash Kumari were the joint owners of this plot till they partitioned the plot on 12.06.2023 through a registered partition deed vide which Mr. Sandeep Chugh became the owner of 101.11 sq.yds. and

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Smt. Kailash Kumari became the owner of remaining 91.50 sq.yds. The sub-division therefore took place on 12.06.2023 and cannot be recognized being after 08.02.2007. Further, Smt. Kailash Kumari and Sandeep Chugh purchased this plot No.WZ-29 from one Sh. Dalip Singh on 28.01.1981. The area of the plot at that time was only 183 sq.yds. How it increased to 192.61 sq.yds remains unexplained. Further, the appellant did not disclose this fact while obtaining sanctioned building plan under Saral Scheme and obtained sanctioned building plan with FAR of his plot measuring 101.11 sq.yds. instead of taking proportionate FAR for the entire plot of 192.61 sq.yds. The plan under Saral Scheme was obtained by misrepresentation of facts and was rightly revoked under Section 338 of the DMC Act. The appeal is devoid of merits. Same is dismissed.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 109/26

20.05.2026

Present : Sh. Arvind Kumar, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld. Proxy counsel for the respondent.  
Sh. Sahil Goel, Id. counsel for the proposed intervener.

Status report is filed by the MCD, copy supplied.

The record has already been submitted. Let it can be inspected.

The appeal has been filed in February 2026 against the impugned demolition order dated 30.07.2024 and there is a delay of almost one and a half years. The intervener claims that the appellant was aware about this demolition order since the MCD filed status report in the civil suit in October-November 2024. Let the order-sheets of that suit be filed on or before the next date of hearing.

Put up for arguments on the application seeking condonation of delay in filing the appeal on **10.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 168/26, 169/26 & 353/24

20.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Ms. Nomita Bhardwaj, Ld counsel for the respondent in appeal no. 168/26. Memo of appearance filed.  
Sh. Atul Tanwar, Ld. counsel for the respondent through VC in appeal no. 169/26 along with Sh. Vaibhav Sanwal, Adv. in person. Fresh Vakalatnama filed, same is taken on record  
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 353/24.  
Sh. Nitin Bharti, AE(B) in person.

Record has already been submitted in appeal no. 353/24.  
Combined status report filed in appeal no. 168/26 and 169/26. Copy supplied.

Part arguments heard.

Though the appellant has disputed the service of show cause notices under Section 344 (1) and 343 of DMC Act and has also claimed that his reply to the show cause notice u/s 345-A DMC Act was not considered, the appellant is directed to file complete chain of his ownership documents of both the property bearing no. FA-39 and FA-40, Abul Fazal Enclave, Part-I, Jamia Nagar, Delhi on the next date of hearing.

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Put up for further arguments on **02.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 273/26 & 274/26

20.05.2026

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

Files are taken up today on the applications under Order XXXIX rule 4 CPC seeking vacation of the interim order.

Let notice of these applications be issued to the Id. counsel for the appellant for next date of hearing.

At this stage, Sh. Dalip Rastogi, Advocate (who is counsel for the appellant in those appeal) accepts the notice of these application.

Copies of these application supplied to the Id. counsel for the appellant today itself.

Put up for reply and arguments on the aforesaid applications on **25.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 300/22  
Balwant Singh and Anr. vs. MCD

20.05.2026

Present : Sh. Anupam Jindal, Ld counsel for the appellants along with some of the appellants.  
None for the respondent.

Arguments heard on this appeal.

The show cause notice dated 09.05.2022 booking property no. R3/45, Mohan Garden, Uttam Nagar, Delhi was duly replied by the appellant on 17.05.2022 and the demolition order dated 20.05.2022 records that the reply received but not found satisfactory. It is a non-speaking order as the Quasi Judicial Authority is required to mention the grounds of non-satisfaction after considering the reply of the appellant.

Admittedly, the appellant gave reply to the show cause notice and in the impugned demolition order it was mentioned that the reply is unsatisfactory. The same does not disclose the grounds or the reasons on which the reply was found unsatisfactory. The respondent being a Quasi Judicial Authority is required to pass speaking order to make the affected person aware about the reasons of the impugned order. The judgment of the

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Hon'ble Delh High Court passed in the case of **Jaspal Singh Jolly Vs MCD 125 (2005) DLT 592** held that the impugned order saying reply was unsatisfactory is bad in law and is liable to be quashed.

Even otherwise, no personal hearing was given to the appellant.

In these facts, the demolition order dated 20.05.2022 is set aside with directions to the respondents to pass a speaking order after considering the reply dated 17.05.2022 and document to be submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 10.06.2026 at 2.00 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  
20.05.2026

A.No. 605/14

20.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.  
Sh. Nitya Sharma, Ld. counsel for the intervener.

Arguments heard at length.

Put up for orders 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  
20.05.2026

A.No. 745/17  
**Suman Gupta Vs. MCD**

20.05.2026

Present : Sh. Nitya Sharma, Ld. counsel for the appellant.  
Sh. K.K. Arora, Ld. counsel for the respondent joined through VC.  
Sh. Manoj Kumar, ld. counsel for the intervener.

Arguments heard at length.

1. The appeal no. 745/17 assails the demolition order dated 06.08.2014 passed in respect of the unauthorized construction in the shape of deviations and excess coverage against sanctioned building plan at ground, first and second floor with projections on municipal land. The appellant is concerned only about the second floor. The present appeal has been filed on 10.08.2017 after more than three years from the date of demolition order and the respondent and the intervener have raised the preliminary issue of limitation.
2. Ld counsel for the appellant has argued that the previous counsel misguided the appellant and did not advise the appellant to file this appeal and therefore the delay should be condoned and the appeal should be heard on merits.

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Same has been opposed on the ground that the date of knowledge is not disputed by the appellant and alleged wrong advice by the counsel is no ground to condone the delay.

3. I have perused the record. The appellant purchased the second floor vide sale deed dated 28.04.2012. Prior to that a civil suit was filed against the unauthorized construction raised at second floor and the appellant after moving an application under order 1 Rule 10 CPC, was impleaded as defendant no. 4 in that suit on 17.10.2012. The order sheets of that suit filed by the intervener show that MCD filed status report in that suit on 10.10.2013 mentioning that property has already been booked vide show cause notice dated 09.10.2013. Thereafter, it was informed that demolition order dated 22.10.2013 has been passed. This demolition order however was set-aside by this Tribunal in appeal no. 86/14 filed by the owner of the first floor. Thereafter vide status report dated 04.09.2014 filed in that suit when the appellant was already defendant no. 4 in that suit, it was informed that a speaking demolition order dated 06.08.2014 has been passed. The appellant therefore had knowledge about this demolition order since 04.09.2014. Thereafter, the demolition action was

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also taken at the second floor on 25.02.2015 and status report was filed in the civil suit on 26.02.2015. Not only that the demolition order was in the knowledge of the appellant since September, 2014, the demolition order was also in her knowledge as substantial portion of second floor was demolished. This appeal filed on 10.08.2017 is almost after three years from the date of knowledge of the demolition order and the ground that the previous counsel did not advice the appellant to file appeal is not a plausible reason. There are no grounds to condone the delay of three years. The application seeking the condonation of delay is dismissed and the appeal is also dismissed.

4. 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  
20.05.2026

A.No. 173/22

**Suman Gupta Vs. MCD**

20.05.2026

Present : Sh. Nitya Sharma, Ld. counsel for the appellant.  
Sh. V.K. Aggarwal, ld. counsel for the respondent.

Arguments heard.

1. The appellant has challenged the rejection of regularization order dated 04.03.2021 in respect of the second floor of property no. 47-UA, Jawahar Nagar, Delhi. The regularization application was rejected since there was no policy for floor-wise regularization. Admittedly now there exists a policy of the respondent for floor-wise regularization.
2. In these facts, the mater is remanded back with directions to the respondent to reopen the regularization application of the appellant and decide the same in view of the latest policy of floor-wise regularization. The appellant shall move an application to reopen the regularization application within 4 weeks from today and the regularization application be decided within 8 weeks after reopening the same. Till then the demolition order dated 06.08.20147 is kept in abeyance in respect of the second floor of the property. If the appellant fails to file application for reopening the regularization

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application within 4 weeks from today, the respondent shall be at liberty to take action in pursuance the demolition order dated 06.08.2014.

3. This appeal is disposed of with these directions.
4. 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  
20.05.2026

A.No. 767/14, 81/15, 1034/16 & 409/18

20.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.  
Sh. Dharamvir Gupta, Ld. counsel for the respondent in appeal no. 767/14  
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 1036/16 & 409/18 along with Ms. Sakshi Shedha, Town Planning Department.  
Ms. Manjusha Jha, Ld. counsel for the respondent in appeal no. 81/15.  
Sh. Raghwendra Kr. Singh, Director (Horticulture) MCD and Sh. Bharat Singh, Asstt. Director (Horticulture), SNZ.

In response to the court notice issued by this court to SDM, North East, Shahdara, Director of Horticulture and Dy. Commissioner Land and Estate, the Director of Horticulture and Dy. Commissioner Land and Estate, has given their responses directly to the Senior Town Planner in response to the letter earlier issued by ATP.

Let the response of the Director of Horticulture and Dy. Commissioner Land and Estate be placed on record.

The SDM, North East, Shahdara has however, neither replied to the letter of the ATP directly to ATP nor any report has been filed in this court despite service on 05.05.2026.

Issue B/Ws of the SDM, North East Shahdara in the sum of Rs. 5,000/- to be executed through SHO concerned

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with directions to the SDM to be present in the court with explanation for non-appearance and non-compliance of the court notice received on 05.05.2026 for next date of hearing.

Put up for further proceedings/ arguments on **07.07.2026.**

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 717/16 & 943/16

20.05.2026

Present : Sh. Vireshwar Tyagi, Ld counsel for the appellant along with the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 717/16.  
Sh. Dharamvir Gupta, counsel for the respondent in appeal no. 943/16.

Part arguments heard.

At request, put up for 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  
20.05.2026

A.No. 42/18

20.05.2026

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

Part arguments heard.

Ld. counsel for the appellant seeks some time to inspect the record and to take certified copy of the record and then to argue the matter.

At request, put up for further arguments on **18.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 132/19

20.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent joined through VC.

Two photographs along with list has been placed on record. Let the copy be supplied to the counsel for the respondent.

An adjournment is sought by the ld. counsel for the respondent as he is not feeling well.

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

Put up for arguments on **19.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 169/19, 170/19, 171/19, 172/19, 173/19 & 174/19

20.05.2026

Present :

Sh. Ravi Kapoor, Ld. counsel for the appellant joined through VC along with Sh. Manish Dewan, Adv. in person Ms. Manu, Ld. Proxy counsel for Ms. Parul Agarwal, Ld counsel for the appellant in appeal no.174/19.

Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 169/19 & 174/19.

Sh, Ashutosh Gupta, Ld counsel for the respondent in appeals no. 170/19.

Sh. Nahar Singh Yadav, Ld. counsel for the respondent in appeal no. 171/19.

Ms. Kanta Choudhary, Ld counsel for the respondent in appeal no. 172/19.

None for the respondent in appeal no. 173/19.

Ms. Priyanka Agarwal, Ld counsel for the intervener.

An adjournment is sought by the counsel Sh. Ravi Kapoor for the appellant on the ground that he is not well today.

An adjournment is also sought by proxy counsel for the appellant in appeal no.174/19 as main counsel Ms. Parul Agarwal is held up before Hon'ble High Court.

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

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

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 178/24

20.05.2026

Present : Sh. Vinit Kumar Nagar, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Memo of appearance filed on behalf of the appellant.

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 **24.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 328/24 & 556/24

20.05.2026

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

Ld. counsel for the appellant submits that the appellant has applied for the regularization of the construction.

Ld. counsel for the respondent seeks time to file the status report in this regard.

Put up for awaiting the status report and arguments on **08.10.2026.**

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 410/22

20.05.2026

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

Ld. proxy counsel seeks pass over in the matter as the main counsel is held up before the Hon'ble High Court. In view of the heavy cause list, the pass over is not possible.

Put up for arguments on **07.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 537/24, 538/24, 539/24, 540/24, 541/24, 542/24, 543/24 & 559/24

20.05.2026

Present : None for the appellant.  
Sh. V.K Aggarwal, Ld counsel for the respondent along  
with Sh. Jitender Dabas, AE(B).

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

Subject to cost of Rs. 5,000/- in each appeal to be  
deposit with the Registry of this Tribunal, one more  
opportunity is granted to the appellants to address the  
arguments on the next date of hearing.

Put up for arguments on **07.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 730/24

20.05.2026

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

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

Subject to cost of Rs. 5,000/- to be deposit with the Registry of this Tribunal, one more opportunity is granted to the appellant to address the arguments on the next date of hearing.

There is no interim protection in the matter.

Put up for arguments on the application seeking condonation of delay in filing the appeal on **09.10.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 996/24

20.05.2026

Present : Sh. M.R. Farooqui and Mohd. Imran Malik, Id. counsel for the appellant along with appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Arguments heard on the applications seeking condonation of delay of about 41 days in filing the aforesaid appeal. The appellant has challenged the demolition order dated 03.11.21 and the appeal has been filed on 12.11.2024. The condonation of delay has been sought from 29.10.2024 on which date the vacation notice was received. Even as per the appellant, he had knowledge of the demolition order at least from 07.08.2024 when the same was brought to the notice of the appellant in the civil suit no. 668/2019. There is nothing on record to show that the appellant made any effort thereafter to obtain the copy of the demolition order. However, with an endeavour to decide the appeal on merits, the delay is condoned subject to deposit a cost of Rs. 3,000/- in appeal with the Registry of this Tribunal.

The applications stand disposed of.

At request, put up for arguments on appeal on **09.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 998/24

20.05.2026

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

Record in the matter has not yet been filed.

It is stated that record of this file has been tagged with appeal no. 245/24 titled as Vimla Sharma Vs. MCD listed on 29.09.2026.

Ld. counsel for the appellant is at liberty to inspect the record tagged in that appeal.

Put up for arguments on **29.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 64/25, 65/25, 66/25 & 67/25

20.05.2026

Present : Sh. Avadh Bihari Kaushal, Ld. counsel for the appellant.  
Sh. Nandan Goyal, Ld counsel for the respondent/MCD.

Copy of the Standard building plan received from the DDA, filed by the MCD. Copy supplied.

Ld. counsel for the appellant seeks time to go through the said building plan and to consult the appellant and to argue the matter.

At request, put up for arguments on **08.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 654/25

**Ashok Kumar Kochhar & Anr. Vs. MCD**

20.05.2026

Present : Sh. Rohit Kumar Modi and Ms. Anusuya Ld counsels for the appellant alongwith appellant No.1 SPA holder of appellant No.2 to 5 and appellant No.4 in person.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Sh. Vinod Sharma, Ld. counsel for the respondent No.2 present in the Tribunal along with Sh. Abhishek Gupta, Ld. counsel joined through VC.

1. On the last date of hearing the respondent No.2 has stated that it has no objection if the appellants install a hydraulic lift which shall not obstruct the essential supplies. Ld. counsel for the appellants sought time to take instructions.
2. Today it has been stated by the appellants that they will install traction lift at the site which shall take maximum space of 12 inches below the surface level. Ld. counsel for respondent No.2 has no objection if traction lift is installed subject to the condition that the essential services shall not be shifted/obstructed.
3. Statement of appellant No.1 who is SPA of other appellants has been recorded separately. The appellants in this appeal have challenged the order dated 31.07.2025 vide which the installation of lift and connecting bridge was stopped till the matter between the appellants and respondent No. 2 is resolved. Now, the

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matter between the appellants and respondent No.2 has been resolved. The appellants shall install traction lift at the subject site which shall take the space of maximum 12 inch below the surface level and no essential services shall be shifted including the water pipe lines and IGL pipelines. The appellants shall not violate the lift policy and under no circumstance the essential services below the lift shall be shifted. The lift pit was dug for a depth of about 5 feet, which has been refilled as per the directions of the Hon'ble High Court in the W.P.(C) No.13992/2025 filed by the respondent No.2. Since the refilling of the pit was not with concrete, the same has to be refilled with concrete so that the base of the lift is on a proper platform. The appellants are permitted to fill that pit with proper concrete after leaving only depth of 24 inches from the surface level. No essential services shall be shifted. The appellants shall be bound by their undertaking given to the Tribunal.

4. In view of the above discussion, this appeal is allowed and the letter of MCD dated 31.07.2025 stands withdrawn because the matter has been resolved between the appellants and respondent No.2. Appeal stands disposed of.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
20.05.2026

A.No. 706/25

20.05.2026

Present : Sh. Sanjay Chikara, Ld counsel for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent joined through VC.

An application u/s 5 of Limitation Act filed on behalf of the appellant. Copy placed on record. Let the same be collected.

Ld. counsel for the appellant has pressed for interim relief for desealing of the property.

An adjournment is sought by the ld. counsel for the respondent as he is not feeling well.

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

Put up for arguments on application seeking condonation of delay and interim application 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  
20.05.2026

A.No. 856/17

20.05.2026

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

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

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  
20.05.2026