

A.No. 412/26

21.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ghanshyam Mishra and Ms. Kamlesh Uniyal, 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 **29.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 416/26

21.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Bhumit Malik, 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).

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

Put up for arguments on interim application(s) and appeal on **08.06.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 417/26

21.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Prashant Diwan, Sh. Brajesh Dwivedi and Ms. Ishika Jindal, Ld counsels 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 **12.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 418/26 & 419/26

21.05.2026

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 **11.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. 60-C, Pkt. A, Mayur Vihar, Phase-II, Delhi, in pursuance of the sealing order dated 01.10.2025 and demolition order dated 17.08.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 420/26

21.05.2026

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 **11.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. 60-B, Pkt. A, Mayur Vihar, Phase-II, Delhi, in pursuance of the demolition order dated 01.04.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 421/26

21.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Jasmeet Singh, 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  
21.05.2026

A.No. 422/26

21.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Satish Tamta, Senior counsel along with Ms. Nisha Narayanan and Sh. Rajesh Kumar, Ld counsels 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 **25.05.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 520/25

21.05.2026

Present : Ms. Gunjan, Ld. counsel for the appellant no. 1 to 5.  
Fresh Vakalatnama filed, same is taken on record.  
None for the other appellants.

Ld. counsel for the appellants no. 1 to 5 submits that she has been engaged recently.

The aforesaid appeal is against the vacation notice dated 03.07.2025, which is not appealable before this Tribunal.

Ld. counsel for the appellants seeks time to inspect the record and to make submissions on maintainability of the appeal.

At request, put up for arguments on the maintainability of the appeal on **20.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 82/26

21.05.2026

Present : Ms. Sana Ansari, Ld counsel for the appellant.  
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Vaibhav Sanwal, Adv. in person. Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

Record has already been submitted.

Ld. counsel for the respondent submits that the appeal is barred by limitation and there is no application seeking condonation of delay.

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  
21.05.2026

A.No. 199/26 & 200/26

21.05.2026

Present : Sh. Arush Kapoor, Ld counsel for the appellant joined through VC.  
Sh. Sanjay Sethi, Ld counsel for the respondent in appeal no. 199/26. Fresh Vakalatnama filed, same is taken on record.  
Ms. Sunita Sevda, Ld. counsel for the respondent in appeal no. 200/26. Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD in both the appeals, copies placed on record. Let the same be collected.

The record has been produced in both the matters. 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 **25.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 215/26

21.05.2026

Present : Sh. Surya Gupta, Ld. counsel for the appellant in person along with appellant joined through VC.  
Sh. Jai Gupta, Id. proxy counsel for Sh. Ashutosh Gupta and Sh. S. Adil Hussain, Ld counsel for the respondent joined through VC along with Sh. Anil Bansal, AE(B) in person.

Status report is filed by the MCD, copy supplied.

Record has already been deposited. Same can be inspected by the counsel for the appellant.

Regularization application of the appellant has been rejected.

An application by the appellant to place on record the additional documents filed on 19.05.2026 is pending.

Without prejudice to the rights of the respondent, the documents are taken on record. The application stands disposed of.

Ld. counsel seeks pass over in the matter. In view of the heavy cause list, the pass over is not possible.

Put up for arguments on **23.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 218/26

21.05.2026

Present : Ms. Manu, Ld. Proxy counsel for Ms. Parul Agarwal,  
counsel for the appellant.  
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,  
counsel for the respondent.

Time sought to produce the record on behalf of the  
respondent. Let the same be produced.

Put up for awaiting the record as well as status report on  
**17.07.2026.**

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 294/26

21.05.2026

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

Status report is filed by the MCD, copy placed on record.  
Record has already been submitted and it can be inspected.

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

No adverse order is being passed today.

Put up for arguments on **15.09.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 408/26

21.05.2026

Present : Ms. Deepika, Ld counsel for the appellant.  
Proxy counsel for the respondent.

Ld. Proxy counsel for the respondent seeks time to file the status report and record.

Let the record be filed on or before the next date of hearing and it can be inspected by the counsel for the appellant.

Put up for arguments on **24.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the sealing order dated 12.05.2026. However, it is made clear that no encroachment on the public land is protected.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 282/20, 281/20, 279/20 & 280/20

21.05.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.  
Sh. Ankit Kumar, Ld proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent. In appeal Nos. 281/20, 279/20, 280/20 .  
None for respondent in appeal No.282/20.

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

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

Put up for arguments on **25.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

ATMCD APPEAL 340/13 : M/S. PARAS POLYMERS (P) LTD. Vs. NDMC  
ATMCD APPEAL 348/13 : VIJAYA BANK Vs. NDMC  
ATMCD APPEAL 352/13 : J.B BODA RE/INSURANCE BROKERS PVT.  
LTD. Vs. NDMC  
ATMCD APPEAL 360/13 : AMAN SURI AND ORS. Vs. NDMC  
ATMCD APPEAL 363/13 : SANDEEP ARORA AND ORS. Vs. NDMC  
ATMCD APPEAL 377/13 : SARIKA VERMA MAHAJAN Vs. NDMC  
ATMCD APPEAL 378/13 : NIDHI VERMA BHATIA Vs. NDMC  
ATMCD APPEAL 407/13 : EEDA GUJRAL AND ORS. Vs. NDMC  
ATMCD APPEAL 408/13 : VIVEK KUMAR HARJAI AND SONS (HUF)  
AND ORS. Vs. NDMC  
ATMCD APPEAL 409/13 : N.K. SINGH AND ANR. Vs. NDMC  
ATMCD APPEAL 410/13 : VIPIN MALIK (HUF) AND ORS. Vs. NDMC  
ATMCD APPEAL 411/13 : ABHA ARORA Vs. NDMC  
ATMCD APPEAL 412/13 : CHAND KAPOOR Vs. NDMC  
ATMCD APPEAL 416/13 : V.V. GUJRAL AND ORS. Vs. NDMC  
ATMCD APPEAL 595/13 : CHANDER BATRA AND ANR. Vs. NDMC  
ATMCD APPEAL 1194/13 : YOGITA BOURI Vs. NDMC  
ATMCD APPEAL 1195/13 : MONIKA KUKAL Vs. NDMC  
ATMCD APPEAL 1006/17 : M/S. VIJAYA BUILDING APARTMENT  
ASSOCIATION Vs. NDMC  
ATMCD APPEAL 389/13 : M/S CYCAS TRADING LLP. Vs. NDMC

21.05.2026

Present : Ms. Jyoti Kataria, Ld. counsel for the appellant in appeals  
no. 408/13, 409/13, 410/13, 411/13, 412/13, 595/13,  
1194/13 &, 1195/13.  
Sh. Saurabh Kansal, Sh. Suraj Kumar Jha, Sh. Pratham  
Malik and Ms. Vanshika Kapoor, Ld. counsels for the  
appellants in appeal no. 340/13, 407/13, 416/13 and  
1006/17.  
Sh. Anil Kumar Gupta, Ld. counsel for the appellant in  
appeal no. 360/13.  
None for the other appellants.  
Sh. Sanjay Sharma, Ld. counsel for the  
respondent/NDMC joined through VC along with Sh.  
Ashok Kumar, ASO and Sh. Dharambir Singh,  
Consultant.

Further arguments heard.

1. These are 19 appeals challenging the common speaking sealing order dated 01.07.2013 passed in respect of property known as Vijaya Building, 17, Barakhamba Road, New Delhi, directing sealing of the entire property on each and every floor from basement to terrace.
2. The appellants who are the owners/occupiers of different flats in this property have challenged the impugned sealing order on the ground that the same has been passed in mechanical manner without giving complete details and description of the alleged unauthorized construction in respective properties and respective floors. The show cause notice was not duly served nor opportunity of being heard was provided nor a reasoned speaking order has been passed. The impugned order failed to mention as to why the protection under Punjab Municipal Act, 1911 and National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is not available to the property being in existence much prior to 08.02.2007 which is the relevant cutoff date for protection of the property under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. It was also stated that the respondent also accepted a payment of

Rs.15,00,000/- from the appellants for compounding the deviations in the property and even after accepting this amount, no order till date has been passed in respect of whether the deviations have been compounded or not and it has been prayed that the appeals should be allowed and the impugned order should be set aside.

3. Ld. counsel for the respondent on the other hand has argued that the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is not available since the property is commercial in nature and the protection under this Act is available only for the properties situated in unauthorized colonies, village abadi, their extension and special areas.
4. I have perused the record. The impugned demolition order records that the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is not available as the building is commercial in nature. This clearly shows that the alleged unauthorized construction was prior to 08.02.2007 as the protection has not been declined on the ground that the alleged unauthorized construction was raised after 08.02.2007. It has been declined on the ground that the building is commercial.

5. The provisions of National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 which was Act No.20 of 2011 notified on 26.12.2011 are relevant. Vide this Act the enforcement was kept in abeyance under Sub Section 2 of Section 3 for the following properties:
  - (i) As on the 1<sup>st</sup> day of January, 2006 in respect of encroachment or unauthorized development;
  - (ii) In respect of unauthorized colonies, village abadi area (including urban villages) and their extensions, which existed on the 31<sup>st</sup> day of March, 2002 and when construction took place even beyond that date and upto the 8<sup>th</sup> day of February, 2007 mentioned in sub-section (1);
  - (iii) In respect of special areas as per the Building Regulations for Special Area, Unauthorized Regularized Colonies and Village abadis, 2010; and
  - (iv) In respect of all other areas within the National Capital Territory of Delhi as on the 8<sup>th</sup> day of February, 2007; shall be maintained.
6. Under Section 3 (2)(iv), all other areas of NCT of Delhi as on 08.02.2007 are required to maintain status quo notwithstanding any judgment, decree or order of any Court.
7. The arguments of Ld. counsel for the respondent that the protection is available only to unauthorized regularized colony, village abadi etc. is factually incorrect and contrary to Section 3 of this Act. Admittedly, the building was constructed much prior to

08.02.2007 and even if it is presumed that the construction is unauthorized, the same is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Further it is also admitted by the respondent that an amount of Rs.15,00,000/- was accepted towards charges for compounding the deviations and till date no further demand has been made from the appellants nor their request for compounding has been rejected nor communicated to them.

8. In these facts, the sealing order dated 01.07.2013 is kept in abeyance in respect of property of the appellants till this Act is in force. Appeals stand disposed of.
9. Record of the respondent, if any be sent back. Appeal files be consigned to record room.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 106/18 & 107/18  
**Mohd. Anees Vs. MCD**

21.05.2026

Present : Ms. Sana Ansari and Sh. I. Ahmad, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.  
Sh. Harish Kumar Mehra, Id. counsel for the proposed intervener Nirmal Kanta.

Arguments heard at length.

1. These are two appeals challenging the demolition order dated 08.12.2011 in appeal no. 106/18 and sealing order dated 'Nil' in appeal no. 107/18 passed in respect of unauthorized construction at fourth floor in the form of L/B and kitchen, hall and staircase of property no. 3086, Pratap Street, Daryaganj, Delhi.
2. The appellant has challenged these two orders primarily on the ground that the show cause notices dated 01.12.2011 u/s 344 (1) read 343 DMC Act and the show cause notice dated 01.05.2013 u/s 345-A DMC Act were never served upon the appellant nor the two impugned orders were served and the opportunity being heard was not provided to the appellant and therefore these two orders should be set-aside.
3. Ld counsels for the respondent and intervener on the other hand have argued that the appellant purchased

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the fourth floor only on 31.10.2016 and there was no reason for MCD to serve notices and the orders upon him which are prior to the date of his purchase. It was argued that the show cause notices were duly served upon the previous owner Mohd. Yusuf who was also defendant no. 5 in the civil suit filed by the intervener against this unauthorized construction and therefore there are no merits in these appeals.

4. I have perused the record. As far as the appeal no. 107/18 challenging the sealing order is concerned, there is no sealing order passed in this case. The office record shows that a show cause notice was directed to be issued by the Dy. Commissioner concerned on 29.04.2013 and thereafter the show cause notice u/s 345A of DMC Act was issued on 01.05.2013. Thereafter, the office note prepared on 20.05.2013 seeking approval of the competent authority i.e. Dy. Commissioner to approve the sealing order. The Dy. Commissioner did not approve the sealing order and raised five queries vide office note dated 11.06.2013. Compliance to these queries was submitted on 30.09.2016 and thereafter the Dy. Commissioner wrote that JE is requested to take action as deemed fit. The Dy. Commissioner did not approve the sealing order nor signed the sealing order

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as the draft sealing order lying in the file is undated and unsigned. Since, the sealing order was never approved by Quasi Judicial Authority nor was signed, there exists no sealing order and this appeal challenging the sealing order is without any cause of action and is dismissed.

5. Coming to the appeal no. 106/18 challenging the demolition order dated 08.12.2011, the primary contention of the appellant is non-service of show cause notice dated 01.12.2011. The original office record of demolition proceedings was misplaced and the reconstructed file was produced. The show cause notice was issued in the name of Mohd. Yusuf who sold the fourth floor to the appellant. The appellant purchased the fourth floor vide sale deed dated 31.10.2016 and as such the appellant cannot claim that the show cause notice was not served upon him as on that day he was neither the owner nor occupier of the fourth floor. There are no pleadings in this appeals that the show cause notice was not served upon the previous owner Mohd. Yusuf.
6. Record further shows that the intervener filed a civil suit for permanent injunction wherein Mohd. Yusuf and MCD were impleaded as defendant No. 5 and 6 on 17.12.2011. The MCD filed written statement in

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that suit on 17.12.2011 wherein it was mentioned in para 4 of the written statement that the unauthorized construction at the fourth floor has been booked vide show cause notice dated 01.12.2011 which has been issued to the owner/occupier. Admittedly, Mohd. Yusuf who was impleaded as defendant no. 4 in that suit had knowledge at least from the written statement filed by MCD on 17.12.2011 that show cause notice for the fourth floor has been issued on 01.12.2011. Mohd. Yusuf who was the then owner had knowledge of the show cause notice. Further, it was also recorded in the order sheet dated 22.09.2016 of that suit in the presence of Mohd Yusuf that the fourth floor has already been booked as show cause notice has been issued in the name of Mohd. Yusuf. The appellant purchased the fourth floor on 31.10.2016. His predecessor had knowledge of the show cause notice dated 01.12.2011, if not by way of service by MCD but certainly from the written statement filed by MCD and also from the proceedings during that suit. It is relevant to note that Mohd. Yusuf contested that suit till 04.07.2019 when the suit was dismissed on his application under Order VII Rule 11 CPC and it is not a case where Mohd. Yusuf was proceeded ex-parte or did not contest the suit.

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7. In these facts, it has been shown by MCD that the show cause notice was duly served and was in the knowledge of the then owner Mohd. Yusuf. MCD had no reason to serve it upon the appellant.
8. Coming to the merits of the appeal, the sale deed dated 31.10.2016 filed by the appellant mentions the year of construction of the fourth floor as 2012. This sale deed is sufficient to hold that the fourth floor was construction in the year 2012 and after the cutoff date of 08.02.2007 which is relevant date for protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Admittedly, there is no sanctioned plan for the fourth floor which was construction after 08.02.2007 and no protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is available to the fourth floor.
9. In these facts, there are no merits in this appeal. Same is 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  
21.05.2026

A.No. 576/18

21.05.2026

Present : Sh. Pawan Kumar, Ld counsel for the appellant.  
Sh. Mohit Sharma, Ld. proxy counsel Sh. R.K. Kashyap,  
Ld counsel for the respondent joined through VC.

Appellant no. 4 has filed his affidavit as per the last order that he has no interest adverse to his minor nephew Kunal Vats stated to be born on 30.08.2013.

An adjournment is sought on behalf of the respondent as main counsel is out of India.

The appeal pertains to the year 2018. However, in the interest of justice one last and final opportunity is granted to the respondent to address the arguments in the matter.

Put up for arguments on **12.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 574/22

21.05.2026

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

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.

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  
21.05.2026

A.No. 785/22

21.05.2026

Present : Sh. Kulwinder Singh, Ld counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Part arguments heard at length.

Put up for further arguments on **16.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 76/23

21.05.2026

Present : Sh. K.K. Mavai, Ld counsel for the appellant joined through VC.  
None for the respondent.

Ld. counsel for the appellant seeks some more time to file the amended appeal as the appellant is a senior citizen and is not keeping well.

One last and final opportunity is given to the appellant to do the needful in this regard.

At request, put up for the purpose fixed as well as arguments on **17.09.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 168/23, 408/25, 425/25, 426/25, 427/25, 428/25, 429/25 & 430/25

21.05.2026

Present : Sh. Dalip Rastogi and Ms. Prachi Gupta, Ld counsel for the appellant in appeals no. 168/23 and 408/25.  
Sh. Vikas Manchanda, Ld counsel for the appellants in appeals no. 425/25, 426/25, 427/25, 428/25, 429/25 & 430/25 along with appellant Sh. Vijay Sehgal, Sh. Vikrant Gogia and Sh. Arvind Seth.  
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta, counsel the respondent in appeal no. 168/23 and 408/25.  
Sh. Pritish Sabharwal, Ld counsel for the respondent through VC in appeals no. 425/25, 426/25, 427/25, 428/25, 429/25 & 430/25  
Sh. Rahul Mehta, Ld. counsel for the Intervener along with intervener Sh. Deepak Arora, Intervener in person in appeal no. 168/23.

Ld. counsels for the appellant(s) has placed on record copy of the order dated 26.11.2025 passed by the Hon'ble High Court in W.P.(C) no. 5710/25, wherein it has been recorded in para no. 3 that issue in regard of redevelopment of flats in the area in question (which is Naraina Vihar) is still under consideration.

As per the appellants, a Committee was constituted in this regard, who submitted the recommendations through Vice Chairman, DDA to Hon'ble LG and now the file has been sent back from the office of Hon'ble LG to the Vice Chairman, DDA for some clarifications and since, it is a

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policy decision to be taken by the DDA in respect of these properties, the arguments in these appeals be deferred till outcome of those recommendations.

Ld. counsel for the intervener in appeal no. 168/23 has placed on record copies of certain documents received under RTI filed by the intervener. Copy has been supplied and it has been stated that Naraina Vihar does not fall in the list of 'Pre 1962 Built Up residential Double Storey flats', which shall be treated as residential plots and further that the unauthorized construction was raised by the appellants in 2021 without there being any policy for Naraina Vihar.

Since, the policy of the subject property is under consideration at the end of the Government, put up for arguments on these appeals subject to outcome of that policy decision, 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  
21.05.2026

A.No. 146/24

21.05.2026

Present : Ms. Manisha Catherine Singh, Ld. Proxy counsel for the appellant along with husband of the appellant.  
None for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Pujya Kumar Singh has gone to hospital due to some emergency.

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

In the interest of justice one more opportunity is granted to the parties 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  
21.05.2026

A.No. 445/24

21.05.2026

Present : Sh. Roman Rashid, Ld. proxy counsel for the appellant.  
Sh. Adarsh Kumar Lohiya, Ld. Proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.  
Sh. N.U. Ahmad, Ms. Afroz Bano and Ms. Nahida Parbit  
Ld. counsel for the intervener along with intervener.

An adjournment is sought on behalf of the appellant as main counsel Sh. M.S. Khan has gone to Andhra Pradesh due to some urgent matter.

Same is strongly opposed by the respondent and intervener.

The record shows that the appellant has been seeking adjournment on the ground of non-availability of the counsel since filing of this appeal and despite earlier cost of Rs. 5,000/-, the request for adjournment continues. The application seeking condonation of delay as well as application under Order I rule 10 CPC are yet to be adjudicated

Subject to cost of Rs. 10,000/- to be deposit with the Registry of this Tribunal, one last and final opportunity is granted to the appellant to address the arguments on the both applications on the next date of hearing.

...contd.2

: 2 :

Put up for arguments on both the application on  
**07.09.2026.**

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 470/24

21.05.2026

Present : Sh. Siddharth Mullick, Ld counsel for the appellant joined through VC.

None for the respondent.

Arguments heard on behalf of the appellant.

Sh. Pritish Sabharwal, who has been appearing through VC in another matter, submits that he is not a counsel for the respondent/MCD in this matter.

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

Put up for further 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  
21.05.2026

A.No. 607/24

21.05.2026

Present : Sh. Nishant Huda, Ld Proxy counsel for the appellant.  
Sh. Adarsh Kumar Lohia, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Arun Khatri is not available today due to some personal difficulty

In the interest of justice, one last and final opportunity is granted to the appellant to address the arguments in the matter.

Put up for arguments on **21.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 662/24

21.05.2026

Present : None for the appellant.  
Sh. Chetan Hasija, Ld counsel for the respondent joined through VC.

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

No adverse order is being passed today.

Put up for arguments on **06.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 687/24

21.05.2026

Present : Sh. Yashpal Bharti, Ld counsel for the appellant.  
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta,  
counsel for the respondent.

Part arguments on behalf of the appellant heard.

Ld. counsel for the appellant seeks time to file certain documents and to make arguments on the application seeking condonation of delay.

At request, put up for further 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  
21.05.2026

A.No. 775/24, 776/24 & 777/24

21.05.2026

Present : None for the appellant.  
Sh. Aman Gupta, Ld counsel for the respondent joined through VC.

Previous cost has not yet been deposited.

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

In the interest of justice one last and final opportunity is granted to the appellant to deposit the previous cost and to address the arguments in the matter on the next date of hearing.

Put up for arguments 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  
21.05.2026

A.No. 1/25

21.05.2026

Present : Ms. Suruchi Aggarwal, Sr. counsel for the appellant joined through VC along with appellant Lucky Singh in person.  
Sh. Ashutosh Gupta, Ld counsel for the respondent joined through VC.

It is stated by the Id counsel for the respondent that he does not have the notification issued u/s 507 DMC Act in respect of Village Khampur Raiya but the layout plan of this village was filed by the appellant along with regularization application and the regularization record has been produced. Counsel for the appellant is directed to inspect the record.

On request of the appellant, put for arguments on **03.06.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 135/23

21.05.2026

Present : Sh. Rishi Manchanda, Ld counsel for the appellant joined through VC.  
None for the respondent/MCD.  
Sh. Ashutosh Gupta, Ld counsel for the respondent no. 2 through VC.

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

None has appeared for the respondent/MCD 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.

At request, 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  
21.05.2026

A.No. 154/25

21.05.2026

Present : Sh. Pawan Kumar Singh, 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.

Put up for arguments on **06.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 329/25

21.05.2026

Present : Sh. Anil Kumar Verma, Ld counsel for the appellant joined through VC along with attorney/husband Sh. Ran Singh Thakur, of the appellant.  
Sh. Pritish Sabharwal, Ld. counsel for respondent joined through VC along with Sh. Adarsh Kumar Lohia, Advocate in person.

Status report is filed by the MCD, copy supplied to the attorney/husband.

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

At request, put up for arguments on **06.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 334/25

21.05.2026

Present : Sh. Abhishek Saini, Ld. Proxy counsel for the appellant  
joined through VC along with appellant in person.  
Sh. Ashutosh Gupta, Ld counsel for the respondent  
joined through VC.

An adjournment is sought on behalf of the appellant as  
main counsel Sh. Jitender Kumar is not available today  
due to some knee injury.

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 **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  
21.05.2026

A.No. 411/25

21.05.2026

Present : Sh. Sanjeev Kumar, Ld. counsel for the appellant joined through VC along with Sh. Vishal Kaushik, Adv.  
Sh. Jai Gupta, Ld. Proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent.

Part arguments heard.

Ld. proxy counsel for the respondent seeks pass over in the matter for 2.00 pm 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 further 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  
21.05.2026

A.No. 670/25  
Satish Kumar and Anr. Vs. MCD

21.05.2026

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

Part arguments heard.

The appellant has disputed the service of the show cause notice dated 20.12.2024 on the ground that there is no identification of the property at which, the same was pasted.

Ld. counsel for the respondent has argued that the photographs of pasting are there and same is sufficient proof that it was duly served on the property which was under construction at that time.

I have perused the record.

Admittedly, the property number A-4 was not mentioned on the show cause notice dated 20.12.2024 and it was mentioned as property opposite A-28, Paryawaran Complex, near IGNOU Road. It was served through pasting but the Geo Coordinates of the property are not reflected in the photographs of pasting.

The Commissioner, MCD in its circular itself has given certain directions for service through pasting vide circular dated 15.04.2010 Which is as under :-

..contd.2

: 2 :

*“It is observed that the service of show cause notice upon owner is found unsatisfactory and unreliable and, as such, most of the appeals, filed against the demolition orders, are allowed by the courts for lack of service of show cause notice upon owner. It has, therefore, been decided that pasting of notice should be supported by photographic evidence. The JE concerned will ensure the photographic evidence of pasting of notice and such evidence will form part of U/C and sealing files. EE(B) of respective zone shall ensure the uploading of information regarding unauthorized construction on MCD website soon after the passing of the necessary orders for demolition”.*

Even another circular bearing No.LAW/SOUTHDMC/ 2016/1227 Dt. 06.12.2016 was by the Chief Law Officer, SDMC which is reproduce as below:-

*‘It has been observed that the Executive Engineers of SDMC are passing demolition order/sealing order without verifying the service of show cause notice. The Appellate Tribunal has also observed that this is very careless attitude or some deliberate act to give benefit to the property owner as they knew very well that case will not stand to the scrutiny of the Court on this ground alone. Therefore, the Quasi Judicial Authority should ensure that service has been done properly before passing any order under DMC Act.*

...contd.3

: 3 :

*Further the service, as far as possible should be done by way of speed post and a copy of internet delivery report with postal receipt should be kept on record and where service is not possible and pasting is to be done, photograph of pasting be taken and signatures of witness be obtained with their name and address.*

*In number of cases, the service of show cause notice of demolition or sealing is done by way of pasting or speed post, but necessary proof with regard to its service by pasting and signatures of two witnesses is not taken by the department. In case of service by speed post, the tracking report showing the service of the same upon the owner/builder is not placed in the u/c file, with the result the stay order are passed and finally appeals are allowed.*

*All concerned are hereby requested to kindly take note of the aforesaid orders and to ensure the compliance of such orders.”*

In these facts, In these facts, the demolition order dated 08.01.2025 is set aside with directions to the respondents to pass a speaking order after considering the reply/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 25.06.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

...contd.4

: 4 :

The appeal stands disposed of.

However, appellant is directed not to create any third party interest in the property in question and not to raise any further construction in the said property.

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  
21.05.2026

A.No. 29/26

21.05.2026

Present : Sh. Sanjay Kumar, employee of the appellant.  
Ms. Vasu Singh, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

An adjournment is sought on behalf of the appellant as his counsel Sh. Navjot Singh Sodi is out of Delhi.

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 **06.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 234/26

21.05.2026

Present : Sh. Shivam Sharma, Ld counsel for the appellant along with appellant.  
Ms. Vasu Singh, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Part arguments heard.

Ld. counsel for the appellant seeks some time to file some documents. Let the same be filed on or before the next date of hearing with advance copy to the other side.

Put up for further arguments on **14.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
21.05.2026

A.No. 366/20

21.05.2026

Present : None for the parties.

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  
21.05.2026