

A.No. 415/26

22.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Vinay Jaidka, 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 **02.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 423/26

22.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Arun Batra, Sh. Punit Bhatnagar, Sh. Tushar Verma and Sh. Sunil, 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 **01.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellants i.e. first and second floor of property bearing no. C-6, Kailash Colony, New Delhi, in pursuance of the demolition order dated 05.05.2026. However, it is made clear that no encroachment on the public land is protected. The appellants are directed not to raise any further construction in the property in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 424/26

22.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Akash Gupta and Sh. Basant Lal, 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 **13.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 425/26

22.05.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Bal Kishan and Sh. Aagam Jain, 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 **12.08.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. property no. 59, Village Mohamadpur, R.K. Puram, Delhi in pursuance of the demolition order dated 11.05.2026. 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
22.05.2026

A.No. 101/25
Rajesh Kumar vs. MCD

22.05.2026

Present : Sh. B.K. Roy, Ld counsel for the appellant.
None for the respondent.

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

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

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

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 counsel for the appellant, the aforesaid appeal stands disposed off as withdrawn.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 851/25

22.05.2026

Present : Sh. D.B. Yadav, Ld counsel for the appellant along with appellants.

File is taken up today on an application of early hearing filed on behalf of the appellant.

Let notice of this application be issued to the respondent for **01.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 875/25
Sameer Mirza vs. MCD

22.05.2026

Present : Sh. Sameer Mirza, appellant in person along with Sh. Abid Ahmad, Adv.
Sh. Paras Aggarwal, Ld counsel for the respondent.

Ld. counsel for the appellant submits that the appellant wants to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal with the liberty to file fresh appeal.

Statement of appellant himself recorded separately to this effect.

In view of the statement made by the appellant, the aforesaid appeal stands disposed off as withdrawn with liberty as per law.

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
22.05.2026

A.No. 84/26
Siddharth Mishra Vs. MCD

22.05.2026

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

Status report is filed by the MCD, copy supplied.

Record has been produced.

Arguments heard.

The prime contention of the appellant is non-service of show cause notice and opportunity of being heard not provided.

I have perused the office record,

The show cause notice dated 30.05.2023 in respect of property no. B-107, Panchsheel Vihar, New Delhi is reported to be served through pasting, but neither there are any photographs nor any witness to the said 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 :-

“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 ...contd.2

: 2 :

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.

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.

....contd.3

: 3 :

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, the appeal is allowed and the demolition order dated 14.07.2023 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 09.06.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

Record of the respondent is returned and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 265/26

22.05.2026

Present : None for the appellant.
Mohd. Zaid Suleman Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy placed on record,
which can be collected.

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

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

No adverse order is being passed today.

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
22.05.2026

A.No. 304/26

22.05.2026

Present : Ms. Ekta Kumari, Ld counsel for the appellant along with some of the appellants.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The record has been produced. It be deposited with Registry. It can be inspected by the counsel for the appellant.

An adjournment is sought on behalf of the appellant as main counsel Sh. Avinash Pandey is not available today due to ill-health of his mother.

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

Put up for purpose fixed 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
22.05.2026

A.No. 387/26

22.05.2026

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

Status report is filed by the MCD, copy placed on record.
It be collected.

The record has been produced. It be deposited with Registry. It can be inspected by the counsel for the appellant.

It is stated for the appellant that the appellant has applied for regularization of the property on 06.05.2026.

Let the status report qua that application be filed on the next date of hearing and subject to outcome of that application, 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
22.05.2026

A.No. 393/26

22.05.2026

Present :

Sh. Rambir Chauhan, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld counsel for the respondent
along with Sh. Sanjay Kumar, Nodal Officer.

Respondent seeks time to file the reply and status report.
Ld. counsel for the respondent however has stated that
through unregistered GPA and Agreement to sell, the
property stated to be worth of Rs. 49 lacs has been
purchased by the appellant and the unregistered
documents, on which proper stamp duty has not been
paid, are required to be impounded.

As per the receipt dated 01.03.2025 filed at running page
33 of this appeal, the amount of Rs. 49 lacs was
transferred by the appellant through two RTGS
transactions of 20 lacs each and remaining 9 lacs through
two cheques of Rs. 5 lacs and 4 lacs.

The appellant is directed to file his bank statement
through which these amounts were transferred to the
account of the seller and is also directed to produce the
original ownership documents on the next date of
hearing.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 405/26

22.05.2026

Present : Ms. Parul Agarwal , Ld counsel for the appellant.

File is taken up today on an application of early hearing filed on behalf of the appellant.

The next date of hearing in the matter is 03.06.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Put up on the date fixed i.e. **03.06.2026** or the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 246/19

22.05.2026

Present : Sh. Madhur Sapra, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the respondent submits that he has been marked the brief yesterday only and he needs some time to go through the same.

At request, put up for 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
22.05.2026

A.No. 353/18

22.05.2026

Present : Mohd. Ayan, Ld. Proxy counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Mukesh Kumar is not well and is not in a position to appear today.

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

Put up for arguments on **21.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 56/16

22.05.2026

Present : Sh. G.R. Verma and Ms. Sonu Lohia, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

It is stated by the Id. counsel for the respondent on instructions that cut-off date for protection for the subject property being in Village Abadi is 01.06.2014.

Further arguments heard.

Put up for orders 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
22.05.2026

A.No. 206/18 & 207/18

22.05.2026

Present : Sh. Avadh Bihari Kaushik, Ld. counsel for the appellant joined through VC along with Sh. Rishabh Kumar. Advocate in person.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

An adjournment is sought by ld. counsel for the appellant as he has yet to obtain the complete certified copy of the record.

The appeals pertain to the year 2018. However, 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 **04.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 430/18

22.05.2026

Present : Sh. Shiva Handa, Ld counsel for the appellant.
Sh. Sachin Saini, Ld. Proxy counsel for the respondent/
MCD joined through VC.
Sh. Anupam Sharma, Ld. counsel for the respondent/
DDA.

Written arguments filed on behalf of the appellant. Let the copy be supplied to the counsels for the MCD and DDA.

An adjournment is sought on behalf of the respondent/MCD as main counsel Sh. Ravi Ranjan is out of station.

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 **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
22.05.2026

A.No. 48/20
Ram Kumar Vs. MCD

22.05.2026

Present : None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Put up at 2.00.PM.

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD/22.5.26

AT 3.00 pm

Present : None for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Previous cost has not yet been deposited.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls. None had appeared on behalf of the appellant on the previous date as well.

It is 3.00 PM. It appears that the appellant is not interested in pursuing this appeal. The present appeal is dismissed in default.

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

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD

22.05.2026

A.No. 197/20

22.05.2026

Present : Sh. Aayush Aggrwala, Ld counsel for the appellant joined through VC.
Sh. Sanjay Sethi, Ld counsel for the respondent joined through VC.

Part arguments heard.

At request made by the ld. counsel for the appellant, put up for further arguments on **05.08.2026**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 374/21 & 375/21

22.05.2026

Present : Sh. Kishan Lal, Ld. Proxy counsel for the appellant with appellant.
Ms. Vasu Singh, Ld. counsel for the respondent joined through VC.

Record has already been submitted by the MCD and it can be inspected by the counsel for the appellant.

An adjournment is sought on behalf of the appellant as main counsel Sh. Mahender Mishra has gone out of station due to accident of his son.

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

Put up for arguments on **21.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 319/22
Parmila Vs. MCD

22.05.2026

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

Arguments heard on behalf of the respondent.

None has appeared for the appellant despite repeated calls since morning and waiting till 3.00 pm.

I have perused the record.

Vide status report dated 01.07.2022, the respondent has drawn attention of this court that the impugned order was earlier challenged in appeal no. 220/21 and that appeal was withdrawn on 11.10.2021 by the appellant of that appeal namely Kuldeep Kaur and the sealing and demolition orders were confirmed.

The present appellant purchased the property from Smt. Kuldeep Kaur on 05.07.2021 and thereafter has challenged the impugned orders passed in respect of property bearing no. 49-B, Arjun Nagar, New Delhi. Once, the impugned orders were confirmed in earlier appeal no. 220/21, which was withdrawn, the present appeal challenging the same orders is not maintainable.

...contd.2

: 2 :

The appeal is devoid of merit and is hereby 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
22.05.2026

A.No. 501/22 & 502/22
Govind and Ors Vs MCD

22.05.2026

Present : Ms. Aditi Aggarwal, Id. counsel for the appellant joined through VC along with appellant in person.
Sh. Rajat Rajoria Singh, Ld counsel for the respondent through VC.

1. Arguments heard on the application seeking condonation of delay as well as appeal. The appellants who are the owners of two shops at ground floor bearing private No.1 and private No.01 in property bearing No.A-22, Sarswati Garden, New Delhi-110015 have challenged the demolition order dated 29.04.2014 in appeal No.502/22 and the sealing order dated 10.07.2014 in appeal No.501/22. These two appeals were filed on 17.08.2022 and the condonation of delay has been sought on the ground that none of these orders were served upon the appellants and they came to know about the sealing order only when their shops were sealed on 08.12.2018. Thereafter, the appellants were informed that the sealing action has been taken on the directions of Monitoring Committee appointed by Hon'ble Supreme Court of India and they wrote several letters to the Monitoring Committee, Chairman, Special Task Force and Public Grievance

Contd...2..

Cell and later were informed that the property has been sealing by the MCD on account of unauthorized construction and then these appeals were filed after obtaining the copies of the impugned orders and therefore the delay should be condoned.

2. On merits it was argued that neither the show cause notices nor the two orders were served upon the appellants and therefore the same should be set aside and otherwise also the two shops are old and constructed prior to 08.02.2007 and are protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
3. Ld. counsel for the MCD on the hand argued that the appellants had knowledge of the booking and sealing at least from the date of sealing the properties on 08.12.2018 and the appeals are barred by limitation and there is no reason to condone the delay.
4. On merits it was argued that the property was booked twice for unauthorized construction, initially at ground floor by constructing five shops out of one shop by fixing shutters and thereafter for making rooms at first and second floor in 2014 and therefore the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 is not available and the appeals should be dismissed.

Contd....3...

5. I have perused the record. Neither the show cause notice dated 16.04.2014 booking unauthorized construction of partition walls and fixing shutters for making five shops at ground floor nor the demolition order dated 29.04.2014 was served upon the appellants. Similarly, neither the show cause notice under section 345-A of the DMC Act dated 06.05.2014 nor the sealing order dated 10.07.2014 were served upon the appellants. The same in itself is sufficient reason to set aside the two impugned orders as neither the opportunity of reply nor personal hearing was provided to the appellants. The appellants had knowledge of the sealing only on 08.12.2018 when their shops were sealed. As per them they approached some other authorities to ascertain the reason for sealing the properties and lastly were informed that it was because of unauthorized construction, the MCD has taken action against these properties.
6. I found the explanation plausible more so when the appellants shall not gain any benefit by not challenging the impugned orders or by keeping their shops sealed. In these facts the delay is condoned.

Contd...4..

7. As far as the merits are concerned, the appellants were neither served with the show cause notice nor got any opportunity to reply and being heard.
8. In these facts, the demolition order dated 29.04.2014 and the sealing order dated 10.07.2014 are set aside only in respect of these two shops of the appellants bearing private Nos.1 and 01 of property NO. A-22, Sarswati Garden, Delhi with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellants and after giving personal hearing to the appellants. The appellants shall appear before the Quasi Judicial Authority on 09.06.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing. Their shops be desealed within two weeks from today.
9. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 689/22, 175/23 & 176/23

22.05.2026

Present : Sh. Shamsher Singh, Ld. counsel for the appellants
joined through VC.
None for the respondents.

Ld. counsel for the appellant seeks some short accommodation on the ground that he has been recently engaged and he will file his vakatnama during the course of day.

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 **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
22.05.2026

A.No. 19/24
Sunita Arora Vs MCD

22.05.2026

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

1. Arguments heard on the applications seeking condonation of delay.
2. The appellant has challenged the sealing order dated 25.06.2018 in this appeal filed on 10.01.2024 in respect of shop bearing No.7, Block-C-4E, Janakpuri, New Delhi.
3. The condonation of delay has been sought on the ground that the appellant being a senior citizen did not receive the sealing order and when she came to know about the same, she could not contact the counsel because of her health condition and the delay should be condoned.
4. Same has been opposed for the reason that the delay is unexplained. The property was sealed on 20.02.2019 and the seal was tempered and was resealed on 15.12.2023 and the appellant had knowledge of the sealing since the date of sealing on 20.02.2019 and therefore the delay should not be condoned.

Contd....2..

5. I have perused the record. Admittedly, the shop was sealed on 20.02.2019 and the appellant had knowledge of the sealing since then. The seal was tempered by the appellant and was again resealed on 15.12.2023 when there was much resistance in resealing the property. The appellant did not bother to file the appeal after it was sealed on 20.02.2019. Though the period between 15.03.2020 to 28.02.2022 is to be excluded for the purposes of limitation, there is no explanation for not filing this appeal between 20.02.2019 to 15.03.2020 and from 01.03.2022 till 10.01.2024. There is no documents filed by the appellant to show her ailments or that she was confined to bed and was unable to contact the counsel. The application seeking condonation of delay is dismissed, resultantly the appeal is also dismissed.
6. 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
22.05.2026

A.No. 148/24 & 149/24

22.05.2026

Present : Sh. Anil Kumar, Ld. counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent in appeal no. 148/24 joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 149/24.

Ld. counsel for the appellant submits that Village Shalimar Bagh, Delhi-110088 is at serial no. 1318 in the list of 1510 colonies for which the Government has now taken a decision to regularize and some time may be given to the appellant to apply for regularization of the property.

Let the appellant do so within 8 weeks and subject to outcome of the regularization application, put up for arguments on this appeal 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
22.05.2026

A.No. 250/24

22.05.2026

Present : Sh. Akhil Sharma, Ld counsel for the appellant. Fresh Vakalatnama filed, same is taken on record
Ms. Praveen Sharma, Ld counsel for the respondent joined through VC.

Ld. counsel for the appellant seeks some short accommodation on the ground that he has been recently engaged.

At request made by the ld. counsel for the appellant, 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
22.05.2026

A.No. 322/24

22.05.2026

Present : Sh. Swastik Singh, Ld counsel for the appellant joined through VC along with Sh. Shreshtah Raj Srivastava, Advocate and appellant in person.
Sh. Chetan Hasija , Ld counsel for the respondent.

1. Arguments heard on the applications seeking condonation of delay in filing this appeal challenging the demolition order dated 16.12.2022 and the appeal was filed on 06.05.2024. As per appellant the show cause notice dated 31.10.2022 and the demolition order dated 16.12.2022 was neither issued in her name nor was served upon her and she came to know about the impugned orders only on 15.04.2024 through writ petition filed by her before the Hon'ble High Court and thereafter she filed this appeal and the delay should be condoned.
2. Same is opposed by the respondent on the ground that the demolition order and the show cause notice were duly served through speed post and further the appellant wrote a letter dated 22.09.2023 to the respondent admitting that the vacation notice has been pasted at her property on 21.09.2023 and

Contd...2..

thereafter she did not make any effort to ascertain as to why vacation notice has been pasted which otherwise had the details of booking dated 31.10.2022 and therefore there are no grounds to condone the delay.

3. I have perused the record. The respondent claims to have served the show cause notice and the demolition order by post but there is no track consignment report. However, it is also correct that the appellant admits that the vacation notice was pasted at her property in her letter written to the respondent which had the details of booking of the unauthorized construction in the property of the appellant bearing plot No.58 and 59, Block-I, Gali No.33, Rajapuri, New Delhi. The appellant should have made efforts after receiving vacation notice on 22.09.2023 to ascertain as to what is the reason for issuing a vacation notice upon her. She did not take any steps till filing writ petition before the Hon'ble High Court in April 2024 bearing W.P.(C) No.5365/24.
4. However, in facts that the appellant should get an opportunity of being heard on merits, the delay is condoned subject to the cost of Rs.5,000/- to be deposited with the Registry of this Court.

Contd...3..

-3-

Put up for arguments on appeal 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
22.05.2026

A.No. 400/24

22.05.2026

Present : Sh. Rajpal Gullia, Ld counsel for the appellant joined through VC along with Sh. Ravit Kumar, Advocate and appellant in person.
Sh. Avishek Kumar, Ld counsel for the respondent.

This is an appeal challenging the regularization accorded to the respondent no. 2.

Notice has not yet been issued to the respondent no. 2.

Let notice of this appeal be issued to the respondent no. 2 for next date of hearing.

Put up for appearance of the respondent no. 2 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
22.05.2026

A.No. 427/24

22.05.2026

Present : Sh. Jugal Wadhwa, Ld counsel for the appellant along with Sh. Raghav Goyal, Adv and appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Asit Tiwari and Ms. Radhika Sharma, Ld. counsels for the intervener along with intervener.

Reply to the application under Order I rule 10 CPC filed.
Copy supplied.

Ld. counsel for the intervener has disputed the contents of the reply.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly,

...contd.2

: 2 :

application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

Arguments heard on the appeal.

Put up for orders on **17.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 604/24

22.05.2026

Present : Ms. Tanya Shandilya, Ld counsel for the appellant joined through VC along with appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied to the appellant.

Regularization application of the appellant has been rejected on 04.05.2026.

Ld. counsel for the appellant seeks time to argue the matter.

Put up for arguments on **28.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 833/24

22.05.2026

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

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

No adverse order is being passed today.

Put up for arguments on **23.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 860/24

22.05.2026

Present : Sh. Anil Dwivedi, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.
Intervener in person.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

Part arguments heard.

...contd.2

: 2 :

The appellant has relied upon the PTR of the year 2004-05 to show that the constructions at third and fourth floor existing as on date, was existing prior to 08.02.2007. Let the MCD to verify this PTR and to file the status report on next date of hearing in respect of property no. 143-D, Pkt. F, Mayur Vihar, Phase-II, Delhi-110092.

Put up for awaiting status report and 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
22.05.2026

A.No. 1065/24

22.05.2026

Present : Sh. Thakur Sumit, Ld counsel for the appellant joined through VC along with Sh. Gaurav Rathore, Adv, in person.
Sh. Madan Sagar , Ld counsel for the respondent.
Sh. Soumil Singh Rawat, Ld. proxy counsel for the respondent No.2 and 3.

Adjournment sought on behalf of respondent No.2 and 3 on the ground that the father of the counsel has a surgery today and is not available and the respondent 2 and 3 are out of country.

Record shows that respondent No.2 and 3 have been seeking time to file documents relating to the payment made towards cost of installation of the lift.

These documents could have been filed even if they are in New-Zealand. However, since, their counsel is not available today, last and final opportunity is given to the respondent No.2 and 3 to comply with the last order on the next date of hearing.

Put up for arguments on **03.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 1090/24

22.05.2026

Present : Sh. Sunil Sharma, Ld counsel for the appellant along with some of the appellants.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An application has been filed by the appellant seeking temporary desealing of the property. Copy supplied.

The record of the MCD is not still submitted.

Let the record be submitted.

Put up for awaiting record and arguments on the aforesaid application as well as appeal on **03.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 205/25 & 206/25

22.05.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent along
with Sh. Suraj, Section Officer, MCD, SSZ, A & C
Department.

The respondent was directed to produce the original
property-tax record. The photocopy of their register has
been filed to show that the said record is not available
being washed out in heavy rain.

The appellant has filed original Assessment order and
house-tax receipts.

Arguments heard at length.

Put up for orders on **25.05.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 286/25

22.05.2026

Present : Appellant in person.
Sh. Avishek Kumar, Ld counsel for the respondent.
Intervener in person.

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

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

Put up for arguments on **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
22.05.2026

A.No. 295/25

22.05.2026

Present : Sh. Gaffar Hussain, Ld counsel for the appellant.
Sh. Kamal Kishore Okharwal, Ld counsel for the
respondent joined through VC.
Intervener in person.

An adjournment is sought on behalf of the appellant as
main counsel Sh. Maroof Ahmad is not available today
due to ill-health.

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 **06.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 315/25

22.05.2026

Present : Sh. Bhavishya, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Deekshant Kaushik, Ld. counsel for the intervener.

An adjournment is sought by the counsel for the appellant as he is not available today due to some personal difficulty.

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

Put up for arguments on **08.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026

A.No. 647/25

22.05.2026

Present : Sh. Rambir Chauhan, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld. counsel for the respondent
joined through VC along with Sh. R.K. Singh, Adv.

Status report is filed by the DDA, copy supplied.
Record has not yet been filed. Let the same be filed and
it can be inspected by the Id. counsel for the appellant.

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 **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
22.05.2026

A.No. 12/26 (M)
Sajid Ali and Anr. Vs. MCD

22.05.2026

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

Arguments heard on the application seeking restoration of the appeal dismissed in default on 13.01.2026.

The application was filed on 30.01.2026 stating that the counsel noted wrong date of hearing as 23.01.2026 instead of 13.01.2026. Infacts, the application is allowed and the appeal be restored to its original number.

Put up for arguments on the appeal 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
22.05.2026

A.No. 745/23 & 801/23

22.05.2026

Present : Sh. Hardik Aggarwal, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 745/23.
Sh. Avishek Kumar, Ld counsel for the respondent in appeal no. 801/23.

The matters are listed for judgment today. I have gone through the record. The original sale deed with site plan is required to ascertain as to what was the common portion and what was the portion purchased by the appellant through this sale deed.

Further, inspection is required at the premises to ascertain the extent of construction at the third floor of property no. 4421, Nai Sadak, Delhi.

Appellant is directed to produce the original sale deed with site plan. Further, let the property of the appellant be inspected by the MCD after temporary desealing it and to file status report with photographs and rough map to show the extent of construction at the third floor on the next date of hearing.

...contd.2

: 2 :

The inspection be carried out on 09.06.2026 at 3.00 pm by desealing the property temporary and same be resealed after the inspection.

The appellant is directed to be present at the property for joint inspection at the aforesaid date and time.

Put up for compliance of the aforesaid order on **31.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.05.2026