

A.No. 437/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. G.S. Suhag, 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 **05.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 438/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. S. Surender and Sh. Lakshit Raj Gaur, 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 **09.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 448/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Dinesh Kaushik, 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 **15.10.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant 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
01.06.2026

A.No. 449/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Raghvender Shukla, 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 **20.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 450/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Yash Srivastava, Ld counsel for the appellant joined through VC.
Sh. Shashi Pratap Singh, Ld. counsel for the appellant.
Fresh Vakalatnama filed, same is taken on record.

Sh. Yash Srivastava, Id. counsel for the appellant seeks his discharge from this case as a new counsel has already been engaged.

In view of the request made and filing of a fresh vakalatnama on behalf of the appellant, the previous counsel Sh. Yash Srivastava is discharged from this case.

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 **05.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 451/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Jai Batra, 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 **03.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 452/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Abhishek Kumar, Ld. counsel for the appellant joined through VC with Appellant present in the Court.

Submissions heard. File perused.

No ground for interim stay is made out.

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

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

Put up for arguments on interim application(s) and appeal on **03.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 455/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Manoj Kumar Verma, 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 **03.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. 8297, Pkt. 8, Sector-C, Vasant Kunj, New Delhi, in pursuance of the demolition order dated 12.05.2026. 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
01.06.2026

A.No. 474/26

01.06.2026

Fresh appeal received. It be checked and registered.

Present : None for the appellant.

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 **10.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 632/25

01.06.2026

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

Arguments heard on the early hearing application.

The appellant has challenged the sealing order dated 15.09.2020 in this appeal filed in the year 2025 and the property is lying sealed since 03.11.2020.

In view of the same, no ground for early hearing is made out. The application is devoid of merits and is dismissed.

Put up on the date fixed for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 820/25

01.06.2026

Present : Ms. Jigyasa Sharma, Ld counsel for the appellant joined through VC along with appellant in person.

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 13.08.2026. The appeal is of the year 2025. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Put up on the date fixed i.e. **13.08.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 851/25

01.06.2026

Present : Sh. Sauraj Yadav, Ld. counsel for the appellant along
with appellant in person.
Sh. Chetan Hasija, Ld counsel for the respondent.

This is an early hearing application.

Heard. Application perused.

In view of the reason given, the date is preponed to
02.07.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 59/26, 60/26, 61/26, 62/26 & 63/26

01.06.2026

Present :

Sh. Narender Kumar, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Id. counsel for the respondent in
appeal no. 59/26 and 61/26.

Sh. S. Adil Hussain, Ld counsel for the respondent in
60/26, 62/26 & 63/26. Fresh Vakalatnama filed, same is
taken on record.

Status report is filed by the MCD in all the matters. Copy
supplied.

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

An adjournment is sought on behalf of the appellant as
main counsel Ms. Hinu Mahajan is out of station.

Same is opposed.

The date of today was given on 30.01.2026 in the
presence of the counsel and she should not have gone
out of station and should have planned her visit according
to the court dates. However, infacts, the adjournment is
allowed to cost of Rs. 2,000/- in each appeal to be
deposited with the Registry of this tribunal.

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
01.06.2026

A.No. 147/26

01.06.2026

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

Status report is filed by the MCD, copy supplied.

The appellant has challenged the impugned sealing order dated 27.06.2019 in this appeal filed on 19.02.2026. There is no application seeking condonation of delay and without condoning the delay, even the interim application cannot be heard.

Appellant seeks time to file such application.

At request, put up for arguments on the said purposed application on **24.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 148/26

01.06.2026

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

Some time sought on behalf of the appellant to file additional documents to show that the construction at the fourth floor of property no. 2840, Gali Pipal Mahadev, Hauz Quzi, Delhi-10006 is existing much prior to 08.02.2007.

This appeal is pending since February 2026 and the appellant had sufficient time to arrange and file the proposed additional documents. Record shows that the appellant vide sale deed dated 27.04.2009 purchased the second and third floor of this property with terrace rights. There was a site plan attached to this sale deed, which has not been filed for obvious reasons. However, it is clear from the sale deed that there was no construction at the terrace of the third floor when the appellant purchase the second and third floor.

Further, there is no interim protection for the fourth floor and the respondent is at liberty to take action against the fourth floor of the property.

..contd.2

: 2 :

At request of the Id. proxy counsel, one last and final opportunity is given for arguments and the appellant is directed to file the site plan attached with the sale deed and to produce the original sale deed with site plan in the court on next date of hearing.

Put up for arguments on **14.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 332/26 & 333/26

01.06.2026

Present : Sh. B.K. Roy, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD in both the appeals,
copy supplied.

Record has already been submitted.

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

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 380/26

01.06.2026

Present : Sh. Ramesh Kumar and Sh. Rajinder Pal Singh, Ld counsels for the appellant.

Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Akash Tanwar and Sh. Vaibhav Sanwal, Advocates in person.

Status report is filed by the MCD, copy supplied.

Time sought to file the record. Let the same be so filed on or before the next date of hearing.

At request, put up for 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
01.06.2026

A.No. 391/26

01.06.2026

Present : Sh. Sourav Ghosh, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Akash Tanwar and Sh. Vaibhav Sanwal, Advocates in person. Memo of appearance filed.

Ld. counsel for the respondent submits that he has been engaged recently and needs some time to file the status report and to produce the record.

Put up for awaiting the record and 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
01.06.2026

A.No. 401/26

01.06.2026

Present : Sh. Akhil Rana, Ld counsel for the appellant along with appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Akash Tanwar and Sh. Vaibhav Sanwal, Advocates in person. Memo of appearance filed.

Status report is filed by the MCD, copy supplied.

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

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

At request, put up for arguments on **10.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 402/26

01.06.2026

Present : Ms. Rekha Rani, Ld. Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along
with Sh. Rajesh Rohilla, AE(B), Karol Bagh Zone, MCD.

Status report is filed by the MCD, copy supplied.

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

An adjournment is sought on behalf of the appellant as
main 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
on next date of hearing.

Put up for arguments on **12.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 39/16

01.06.2026

Present : Ms. Navita, Ld. Proxy counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Regularization application is still pending.

Let the status report qua the said regularization application be filed.

Put up for awaiting the status report and arguments on **22.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 113/21 & 220/22

01.06.2026

Present : Ms. Vaishali, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Id. counsel for the respondent in
appeal no. 113/21.
Sh. Madan Sagar, Ld counsel for the respondent in
appeal no. 220/22.

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

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

At request, put up for arguments on **14.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 93/22

01.06.2026

Present : Sh. Anil Pandey, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Ram Kishan, Ld. counsel for the proposed intervener
Ms. Rajni Manchanda along with husband of the
proposed defendant.

Status report is filed by the MCD, copy supplied.

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.

...contd.2

: 2 :

As per the status report dated 08.08.2025, the unauthorized construction in the shape of kitchen is reported to be demolished, however, the photographs filed along with that status report and the photographs filed today show that the unauthorized construction still exists in the garage below flat no. 19, Bannu Enclave, Pitam Pura, Delhi.

Let the concerned AE(B) Mr. S.P. Dabas and Mr. Jitender Dabas, both be present in the court for explanation in this regard on the next date of hearing.

Put up for 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
01.06.2026

A.No. 861/24

01.06.2026

Present : Sh. Mahipal Singh Rajpur, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Akash Tanwar and Sh. Vaibhav Sanwal, Advocates in person.

An application filed by the appellant to place on record the additional documents filed on 13.02.2026. copy supplied.

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

Ld. counsel for the appellant seeks adjournment on the ground that husband of the appellant, in whose presence he will address arguments, is not available today because of demise of his father-in-law.

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 671/24

01.06.2026

Present : Sh. Vishal Tyagi, son of the appellant in person.
Sh. Madan Sagar, Ld counsel for the respondent.

An application of the appellant under Order VI rule 17 CPC to implead four more respondents, who are the private persons, is pending.

Those four persons have already filed separate appeal bearing no. 755/24. In this appeal as well as in that appeal, common demolition order dated 01.08.2024, passed in respect of second and third floor of the subject property, has been challenged.

The appellant herein and the appellants in that appeal have separate flats/portions in their possession on the second and third floor of the property. Since, they are seeking protection of their respective portions, both the appeals are maintainable. The application under Order VI rule 17 CPC is dismissed.

An adjournment is sought on behalf of the appellant as main counsel 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 on next date of hearing.

...contd.2

: 2 :

Put up for arguments on **14.09.2026**.

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

The appeals are for the second and third floor and MCD is at liberty to take action against the other floors of the property.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 721/24

01.06.2026

Present : None for the appellant.
Sh. Nandan Goel, 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.

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 **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
01.06.2026

A.No. 733/24 & 734/24

01.06.2026

Present : Sh. Arush Kapoor, Ld counsel for the appellant along with appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Amit Srivastava, Ld. counsel for the private respondent no. 2 joined through VC.

It is stated by the Id. counsel for the appellant that he has not been supplied the copy of the application and documents filed by the intervener/respondent no. 2.

Ld. counsel for the respondent no. 2 also submits that he has not been supplied the copy of the appeal and the documents.

Let the same be supplied today itself.

It is further stated for the appellant that the appellant has applied for regularization of the subject property.

At request, put up for arguments on **01.09.2026** subject to outcome of the regularization application of the appellant.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 755/24

01.06.2026

Present : Sh. Manish Kumar and Sh. Harish Yadav, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent along with Sh. Akash Tanwar and Sh. Vaibhav Sanwal, Advocates in person.

An adjournment is sought by the ld. counsel for the appellant as he is not ready with the arguments 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 **14.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 1006/24, 1007/24, 1008/24, 1015/24 & 1021/24

01.06.2026

Present : None for the appellant.
Sh. Paras Aggarwal, Ld counsel for the respondent in appeal Nos. 1006/24, 1007/24, 1008/24.
Sh. Madan Sagar, Ld. counsel for respondent in appeal No.1015/24.
Sh. V.K. Aggarwal Ld. counsel for respondent in appeal No.1021/24.

None has appeared for the appellant despite repeated calls since morning. Even the previous cost for condonation of delay has not been deposited.

There is no interim protection in the matters and the MCD is at liberty to take action against the subject property.

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 **05.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 24/25 & 25/25

01.06.2026

Present : Sh. Narender Bhandari, Ld counsel for the appellant.
Sh. Akhil Mittal, Standing counsel for the respondent/
MCD Sh. Vineet Kumar Mishra, Advocate.

Arguments heard at length.

Put up for orders on **01.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 301/25

Vinod Gupta Th. Attorney Abhishek Gupta Vs. MCD

01.06.2026

Present : Sh. Soumil Singh Rawat, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Yash Dhyani, Ld. counsel for the respondent no. 2.

Ld. counsel for the appellant has filed an application seeking withdrawal of the aforesaid appeal along with copy of MOU and vakalatnama.

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

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

In view of the statement made by the Id. counsel for the appellants, the application seeking withdrawal stands disposed of as allowed and the aforesaid appeal is also 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
01.06.2026

A.No. 305/25

01.06.2026

Present : Sh. Rakesh Kumar Shukla and Sh. Nitesh, Ld counsels for the appellant along with SPA Holder of the appellant.
Sh. Ankur Sharma, Ld counsel for the respondent/MCD joined through VC.
Sh. Yashovardhan Oza, Ld. counsel for the respondent No.3 joined through VC along with Sh. Mohd. Tanvir, Adv. in person.
None for the other respondents.

Reply along with documents on behalf of the respondent no. 3 filed. Copy supplied.

Arguments heard at length.

Put up for orders on **11.06.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 358/25

01.06.2026

Present : Sh. Amit Kumar, Ld counsel for the appellant.
Sh. K.D. Sharma, Ld counsel for the respondent.

Arguments heard on the applications seeking condonation of delay in filing the aforesaid appeal.

The appellant has challenged the demolition cum sealing order dated 13.06.2023 and this appeal was filed on 29.05.2025. Prior to that the appellant filed a civil suit against this order in July 2023 which was dismissed under Order VII rule 11 CPC on 28.02.2025. It is stated for the appellant that he is entitled to benefit of Section 14 of the Limitation Act as he was pursuing a wrong remedy bonafidely.

Same is opposed as even if the benefit of Section 14 of Limitation Act is given to the appellant, there is an inordinate delay in filing the appeal even after 28.02.2025.

I have perused the record.

As per the appellant, he applied for certified copy of complete file and the order dated 28.02.2025 on 22.04.2025 and certainly there is no explanation for not filing the appeal in time after 28.02.2025 which could have been filed even without of the certified copy of the

....contd.2

: 2 :

order dated 28.02.2025. Further, there is no explanation as to why the certified copy was not applied immediately after 28.02.2025. Even after the giving the benefit of Section 14 of the Limitation Act, there is no explanation for the delay after 28.02.2025. However, with an endeavour to decide the appeals on merits, the delay is condoned subject to deposit a cost of Rs. 2,500/- with the Registry.

The applications stand disposed of.

At request, put up for arguments on appeal 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
01.06.2026

A.No. 742/25 & 743/25
Jai Singh Vs. MCD

01.06.2026

Present : Sh. B.S. Mathur, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Nikhil Bahri, Ld. counsel for the intervener joined through VC.

Arguments heard on the application seeking condonation of delay. As per the appellant, the impugned demolition order dated 08.02.2018 was never served upon him.

I have perused the record.

As per the office record, the demolition order was served through pasting, but there are no photographs to substantiate the same. The appellant claims that he came to know about this order only through the writ petition filed before the Hon'ble High Court by his brother Diwan Singh. In these facts, the delay is condoned in both the appeals.

Further arguments on appeals also heard.

The show cause notice under Section 344 read with 343 of DMC Act dated 02.02.2018 was served through pasting, but there are neither photographs of pasting nor any witnesses were cited.

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.”

As far as the appeal no. 743/25 challenging the sealing order approved on 23.03.2018 is concerned, the show cause notice was never served as there is no proof of service in the office record.

The sealing action was taken only against the properties of Diwan Singh and Vijender Singh on 06.11.2018 and not against the property of the appellant.

....contd.4

: 4 :

In these facts, both the sealing order signed on 23.03.2018 and the demolition order dated 08.02.2018 passed in respect of property of the appellant Jai Singh are set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant, after giving personal hearing to the appellant and after considering the first booking of the property on 16.11.2009 and the demolition order dated 19.11.2009.

The appellant shall appear before the Quasi Judicial Authority on 06.07.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

In view of the above, both the appeal stand disposed of.

At request, copy of both the show cause notices is provided to the appellant today in the court.

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
01.06.2026

A.No. 166/26 & 167/26

01.06.2026

Present : Sh. P.C. Arya , Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Record of subject property is attached with appeals no. 742/25 and 743/25, which have been remanded back today. Let that record be tagged with this file.

Part arguments heard.

At request of the ld. counsel for the appellant, put up for further arguments on **03.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 189/26

01.06.2026

Present : Sh. Sahil Ahuja, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel is not 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 **23.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 489/16

01.06.2026

Present : Sh. L.G. Dass, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Further arguments heard partly.

At request, put up for further arguments on 24.07.2026.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
01.06.2026

A.No. 1046/24

01.06.2026

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

Vide separate judgment of even date, the present appeal is allowed in respect of appellant no. 1, 3, 4 & 5 and impugned demolition order is upheld in respect of appellant no. 2 owner of upper ground floor (first floor).

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
01.06.2026