

A.No. 432/26

03.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Jasmeet Singh and Sh. Gavendra Nath, 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 **14.09.2026**.

Till next date of hearing, no coercive action be taken  
against the property of appellant in pursuance of the  
impugned order. 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  
03.06.2026

A.No. 459/26, 460/26, 461/26, 462/26, 463/26, 464/26, 465/26, 466/26, 467/26, 468/26, 469/26, 470/26, 471/26, 472/26, 473/26, 481/26, 482/26, 483/26 & 488/26

03.06.2026

Fresh appeals received. Same be checked and registered.

Present : Sh. Rohit Sharma, Ld counsel for the appellants.

Submissions heard. Files perused.

Issue notice of interim application(s) as well as appeals 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 appeals on **30.09.2026**.

Concerned AE(B) and EE(B) are directed to remain present in the court on the date fixed.

Till next date of hearing, no coercive action be taken against the properties of appellants in pursuance of the impugned rejection order(s). 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  
03.06.2026

A.No. 490/26

03.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Tarun Narang, 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 **16.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. 150, Site-II, Vikas Puri, New Delhi, in pursuance of the demolition order dated 16.04.2026. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 493/26

03.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. H.S. Phoolka, Senior Advocate along with Sh. Jai Shankar, Ms. Surpreet Kaur, Sh. Manoj Makhija, Sh. Kartik Goyal, Ld counsel for the appellant along with appellant.

Submissions heard. File perused.

An application has been filed to amend the appeal to challenge the demolition order dated 30.09.2025 along with proposed amended appeal. Since, notice has not yet been issued, the application is allowed and the amended appeal is taken on record.

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.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Property no. 13/2450, Punjab Basti, Delhi, in pursuance of the demolition order dated 30.09.2025. 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  
03.06.2026





A.No. 57/26

03.06.2026

Present : None for the appellant.  
Sh. Madan Sagar, Ld counsel for the respondent along  
with Sh. Shailender Singh, AE(B).

Status report is filed by the MCD, copy placed on record.  
Let it be collected by the appellant.

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 **09.09.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 164/26 & 748/25

03.06.2026

Present : Sh. Shashwat Bhardwaj and Ms. Khushboo Gupta, Ld counsels for the appellant along with appellant and her husband.  
Sh. Sandeep Kumar, Ld counsel for the respondent joined through VC in appeal no. 164/26.  
Sh. V.K. Aggarwal, Id. counsel for the respondent in appeal no. 748/25.

Ld. counsel for the appellant has filed certain additional documents along with list. Copy supplied to the counsel for the respondent in appeal no. 748/25 and placed on record in other appeal no. 164/26, which can be collected by the counsel for the respondent.

It is stated by the Id. counsel for the appellant that Rajpur Khurd colony is 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 **14.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 204/26, 205/26, 206/26 & 207/26

03.06.2026

Present : Sh. R.A. Khan, Ld counsel for the appellant along with appellants.  
Sh. Kamal Kishore Okharwal, Ld counsel for the respondent in 204/26, 205/26 & 207/26 Fresh Vakalatnama filed in appeal no. 205/26. Same is taken on record.  
Sh. Sandeep Kumar, Ld. counsel for the respondent in appeal no. 206/26.

Common status report is filed by the MCD and kept in file of appeal no. 204/26. 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 **17.09.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 325/26

03.06.2026

Present : Sh. S.K. Karn, Ld counsel for the appellant.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The appellant has not filed the sealing order and it cannot be ascertained as on today as to under what provision/ order, the subject property was sealed.

Let the respondent to clarify on this aspect on the next date of hearing.

Put up for clarification/arguments on **02.07.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 370/26

03.06.2026

Present : Sh. Shiv Charan Garg, Ld counsel for the appellent.  
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

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

An application has been moved on 01.06.2026 under Order I rule 10 CPC. Copy of the same has not been supplied to the appellent and the respondent/MCD.

The proposed intervener is directed to supply the entire set of the application to the counsel for the appellent as well as respondent/MCD within a week.

Put up for arguments on this application and 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  
03.06.2026

A.No. 394/26

03.06.2026

Present : Sh. Amit Sharma, Ld. Proxy counsel for the appellant along with appellant .  
Sh. V.K. Aggarwal, Ld counsel for the respondent. Memo of appearance filed.

Time sought to produce the record.

Put up for awaiting the record/status report and 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  
03.06.2026

A.No. 421/26

03.06.2026

Present : Sh. Jasmeet Singh and Sh. Gavendra Nath, Ld counsels for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent. Memo of appearance filed.

Time sought to produce the record.

Put up for awaiting the record/status report and arguments on **14.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the impugned demolition order dated 04.05.2026. 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  
03.06.2026

A.No. 24/15

03.06.2026

Present : Ms. Savita Malhotra, Ld. counsel for the appellant along with Sh. Chander Kumar, Partner of the appellant in person.  
Sh. Madan Sagar, Ld counsel for the respondent/MCD.  
Sh. Vasu Purohit, Ld. Proxy counsel for the respondents no. 2 to 4.

Written arguments filed by the appellant to the application of the respondent no. 2 to 4 seeking dismissal of this appeal on the ground of limitation.

Copy supplied.

Arguments heard orally as well.

Put up for orders on this application on **02.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 201/17

03.06.2026

Present : Ms. Priyanka Bhardwaj, Ld. proxy counsel for the appellant.  
Sh. M.K. Arora, Ld. counsel for the respondent through VC.

Ld. proxy counsel seeks pass over in the matter as the main counsel is held up in some other court.

Ld. counsel for the respondent is not audible and he is also not ready for arguments today.

Put up for 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  
03.06.2026

A.No. 366/18

03.06.2026

Present : Sh. Yaman Yadav, Ld. Proxy counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Soft copy of the application moved to implead L.Rs of the appellant no. 1 and 2 supplied today to the counsel for the respondent.

Let the reply to this application be filed with advance copy to the other side.

Put up for reply and arguments on this application 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  
03.06.2026

A.No. 653/18, 599/18 & 851/18

03.06.2026

Present : Sh. Surender Chauhan and Ms. Nisha, Ld. counsels for the appellant.

Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal nos. 653/18 & 851/18.

Sh. H.R. Aggarwal, Ld counsel for the respondent in appeal no. 599/18.

Part arguments heard.

At request, put up for further arguments on **27.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 323/23

03.06.2026

Present : Sh. Aman Shekhar, Ld. Proxy counsel for the appellant.  
Ms. Jasleen Kaur, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as main arguing counsel Ms. Sapna Rai (whose vakalatnama is not on record) is not available today due to bereavement in the family.

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 **12.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 364/23 & 301/24

03.06.2026

Present : Sh. Pooran Chand and Sh. Chander Kumar Mandal, Ld  
counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

As per the status report, the premises could not be inspected as access to the premises was not made available on 18.05.2026 and on second attempt on 26.05.2026.

Same is disputed by the appellant, who claims that site was inspected and even photographs were taken by the officials of the MCD in their phone

Without going into this controversy, let the inspection be carried out on 08.06.2026 at 3.00 pm and the report be filed on the next date of hearing.

Put up for awaiting report and arguments on **12.06.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 112/24

03.06.2026

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

Ld. counsel for the appellant submits that despite efforts, the appellant could not trace a document in respect of the construction in the shape of a room at the third floor of the subject property and is ready to demolish the same of his own, if a document could not be traced by the next date of hearing.

The appellant is given one last and final opportunity to file such document in respect of construction at third floor or to demolish the same by the next date of hearing.

Put up for arguments on **20.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 605/24

03.06.2026

Present : None for the parties.

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

No adverse order is being passed today.

The parties are given one last and final opportunity to advance arguments on the next date of hearing.

Put up for arguments on **28.09.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 670/24

03.06.2026

Present : Sh. Pulkit Dahiya, Ld. Proxy counsel for the appellant  
joined through VC.  
Sh. Sanjay Sethi, Ld counsel for the respondent joined  
through VC.

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 **13.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 710/24

03.06.2026

Present : Appellant in person.  
Sh. H.R. Aggarwal, Ld. counsel for the respondent.  
Sh. Tushar Yadav and Sh. Pulkit Garg, Ld. counsel for  
the intervener Jagat Singh.

An application for placing on record the additional documents filed on behalf of the intervener. Same is taken on record. Copy supplied.

An adjournment is sought on behalf of the appellant as wife of the 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 **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  
03.06.2026

A.No. 752/24

**Pawan Gambhir Vs. MCD**

03.06.2026

Present : Sh. G. R. Verma and Sonu Lohia, Ld counsels for the appellant along with appellant in person.  
Sh. H. R. Aggarwal, Ld. counsel for the respondent.

1. Arguments heard on the application seeking condonation of delay in filing the appeal. The appellant has challenged the demolition order dated 18.04.2019 passed in respect of unauthorized construction at ground, first and second floor of property bearing dairy no. 59, Madanpur Khadar, New Delhi. The appeal was filed on 09.09.2024 with a delay of about 66 months.
2. As per appellant the delay is occurred as the show cause notice and demolition order were never served upon the appellant.
3. I have perused the record. The show cause notice dated 03.04.2019 was sent by speed post though there is no track consigned report. However, the demolition order was sent through speed post and was served through pasting on 14.05.2019. The photographs of this pasting along with newspaper at the property of the appellant are available at page 2/C of the office record. Pasting is proper mode of service

Contd...2/-

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u/s 444 of DMC Act and has been upheld to be a proper mode of service by the Hon'ble High Court in the following judgments : -

- (a). Paramjeet Kaur V/s. MCD 1994 (56) DLT 720.
- (b). Narender Prasad Dube V/s. Union of India 1999 (81) DLT 378.
- (c). Hari Dutt Vashistha V/s. MCD 1978 (2) ILR (Delhi) 28.
- (d). Usha Devi Sharma V/s. MCD 2020 (271) DLT 76.

4. Since, the demolition order was duly served on 14.05.2019, the arguments of the appellant that pasting is not a proper mode of service is meritless. The appellant has failed to explain the delay of more than 5 five years in filing this appeal and the same cannot be condoned. The application seeking condonation of delay is dismissed and as a result the appeal is also dismissed.
5. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 754/24

**Pawan Gambhir Vs. MCD**

03.06.2026

Present : Sh. G. R. Verma and Sonu Lohia, Ld counsels for the appellant along with appellant in person.  
Sh. H. R. Aggarwal, Ld. counsel for the respondent.

Arguments heard.

1. This is an appeal challenging the sealing order dated 11.11.2019 implemented on 25.07.2024 in respect of property bearing dairy no. 59, Madanpur Khadar, New Delhi.
2. It is the case of the appellant that show cause notice dated 13.08.2019 u/s 345-A DMC Act was never served and sealing action was taken on 25.07.2024 without providing any opportunity of reply and hearing.
3. I have perused the record. There is no proof of service of the sealing show cause notice as well as the sealing order upon the appellant. The property was sealed on 25.07.2024 without providing any opportunity of hearing and reply as the show cause notice was not served.
4. In these facts, the sealing order dated 11.11.2019 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

Contd...2/-

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giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 22.06.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

5. Property be desealed within two weeks from today.
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  
03.06.2026

A.No. 793/24

03.06.2026

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

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

No adverse order is being passed today.

There is no interim protection in this case.

Put up for arguments on **13.10.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 1/25

03.06.2026

Present : Ms. Suruchi Aggarwal, Sr. counsel for the appellant along with Ms. Neetu Advocate..  
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Pawan Kumar, AE(B), KBZ.

An application under Section 151 CPC filed by the appellant to place on record the additional documents filed. Copy supplied.

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

One more application has been filed on behalf of the appellant seeking modification of the order dated 21.05.2026 wherein it was recorded that the appellant along with regularization application has filed the layout plan of village Khampur Raiya.

I have perused the record. The Layout plan was filed along with application for sanctioned building plan by the previous owners of this property and not by the appellant. The order dated 21.05.2026 is modified to this effect. The application stands disposed of.

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Arguments on appeal heard at length.

Put up for orders on **10.07.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 5/25 (M)  
Gurjeet Singh Vs. MCD

03.06.2026

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

Arguments on the application seeking condonation of delay in filing the restoration application heard.

This appeal was dismissed in default on 01.11.2021. The restoration application has been filed on 29.01.2025. The appellant is required to explain the delay from 01.03.2022 to 29.01.2025 since the period up to 28.02.2022 was exempted by Hon'ble Supreme Court of India in Suo Moto Writ Petition no. 3/2020.

It is claimed for the appellant that he was not well and could not file this application because of his ailment.

The last medical document which is also an OPD prescription is of 07.06.2023. The appellant has not substantiated his plea of ailment for the entire period from 01.03.2022 till 29.01.2025. The delay in filing the restoration application is not condoned. The application is dismissed.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 175/25

03.06.2026

Present : Sh. J.K. Pandey, Ld. proxy counsel for the appellant  
along with appellant.

Sh. V.K. Aggarwal, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as  
main counsel is held up before the Dwarka Court in some  
urgent matter.

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

Put up for arguments on **15.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 473/25

03.06.2026

Present : Appellant in person.  
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Reply to the application seeking condonation of delay filed on behalf of the respondent. Copy supplied.

Copy of status report filed on the last date of hearing is also supplied to the appellant today in the court.

An adjournment is sought by the appellant as his 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 on next date of hearing.

Put up for arguments on **15.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 628/25 & 629/25

03.06.2026

Present : Sh. Vikram Saini, Ld counsel for the appellant in appeal no. 628/25.  
Sh. S.R. Mehta, Ld counsel for the appellant in appeal no. 629/25.  
None for the respondent in appeal no. 628/25.  
Ms. Sunita Sevda, Ld. counsel for the respondent in appeal no. 629/25 through VC, along with Sh. Pawan Kumar, AE(B).

Joint Status report is filed by the MCD, copy supplied.

Ld. counsel for the appellant seeks time to go through the status report and to advance arguments.

At request, put up for arguments on **15.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 671/25

03.06.2026

Present : Sh. Rohit Gupta, Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta , Ld counsel for the respondent.

Ld. counsel for the appellant seeks time to procure and file some documents to show that the subject property belongs to State of Haryana and respondent has no jurisdiction to pass the impugned order. Same is opposed.

However, in the interest of justice put up for arguments on appeal on **08.10.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 719/25

03.06.2026

Present : Sh. Dinesh Kumar Gupta, Ld counsel for the appellant  
joined through VC.

None for the respondent.

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

No adverse order is being passed today.

Put up for arguments on **20.08.2026**.

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

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026

A.No. 136/26  
Rakesh Pahadiya Vs. MCD

03.06.2026

Present : Sh. Punit Yadav, Ld. counsel for the appellant along with  
appellant.  
Sh. Madan Sagar, Ld counsel for the respondent.

Arguments heard on the maintainability of the appeal.

No action has been taken against the subject property by the Building Department of the MCD and the subject shop was sealed for want of trade license for running a meat shop.

This appeal is not maintainable before this tribunal as no order has been passed under Section 345-A of DMC Act for taking sealing action. The appeal is hereby dismissed. The appellant is at liberty to seek appropriate remedy in this regard.

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  
03.06.2026

A.No. 405/26

03.06.2026

Present : Ms. Parul Agarwal, Ld. counsel for the appellant.  
Sh. Avishek Kumar, Ld counsel for the respondent.

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 **17.07.2026**.

Till next date of hearing, no coercive action be taken against the third floor of property of the appellant bearing no. 10036, Gali Khalil Wali, Nawab Ganj, Delhi-110006. 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  
03.06.2026

A.No. 372/21

03.06.2026

Present : Sh. Parth Mahajan, Ld counsel for the appellant joined through VC.  
Sh. Nilesh Sawhney, Ld counsel for the respondent joined through VC.

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  
03.06.2026

A.No. 409/26

**Narender Pal Gaur Vs. MCD**

03.06.2026

Present : Sh. Umesh Prasad, Ld. Proxy counsel for Sh. Girish Kaul, counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Ms. Deepti Thapa, Ld counsel for respondent no. 2 to 4 joined through VC.

Written synopsis filed on behalf of the appellant and it is stated that copy of the same has already been supplied to the opposite counsel.

1. Vide this order I will dispose of the interim application filed by the appellant and the brief facts necessary for disposal of this application are that the appellant who is the owner of first floor flat No. 2173, B-2 Block, Park View Apartments, Vasant Kunj, New Delhi has sought revocation of the NOC dated 07.04.2026 giving permission to respondents no. 2 and 3 for installation of lift at Block-B-2, Flat no. 2170 to 2182, Park View Apartments, Vasant Kunj, New Delhi.
2. It was argued for the appellant that this NOC was issued on the basis of 1990 site plan without looking the additional floors constructed by the respondent No.2 and 3 in their flats. The MCD did not inspect the site before issuing NOC as required under the guidelines dated 15.02.2016. The MCD did not

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scrutinized the proposal for installation of lift and the NOC is defective as it does not states the remedy for violation of clause 1.1 (ii) of the guidelines dated 15.02.2016. The respondents have punctured the brick foundation of the appellant's flat by removing bricks and making hole of 3X3 feet and inserted foundational bolts of the lift in the hole. MCD did not revoke the NOC despite violation despite the photographs of the said puncturing of the foundation of the appellant's flats were submitted with MCD. The NOC given by the appellant for installation of lift does not mean that he consented for making holes in the foundation of his flat. It was argued that the construction of the lift is illegal and an opinion has been given by retired Executive Engineer of DDA that this type of puncturing in the foundation is detrimental to the existing structure and therefore, the construction of lift should be stayed till disposal of this appeal.

3. Ld. counsel for the MCD on the other hand argued that the NOC was granted as per policy dated 15.02.2016 and there is no violation of the said policy at site. The interim application should be dismissed.
4. Ld. counsel for respondents No.2 to 4 on the other hand argued that the appellant has not approached

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this court with clean hands as he concealed the material fact of giving NOC as a primary applicant for construction of lift. The appellant refused to share the cost of construction of lift and is raising frivolous ground to stall the construction of lift. The lift is independent of the existing structure and no damage has been caused to the foundation of the appellant's flat who resides at first floor. There is no prima-facie case in favour of the appellant and the interim application should be dismissed.

5. I have perused the record. The appellant is a resident of first floor flat and at the ground floor below his flat there are 13 scooter garages. The plea of the appellant that damage has been caused to the foundation of his flat is meritless. Further, the appellant deliberately concealed in the appeal that he gave his consent for installation of lift as a primary member as per the DDA Lift Policy. This concealment of material fact is sufficient to dismiss the interim application.
6. Further, the main grievance of the appellant is the violation of clause 1.1 (ii) of the guidelines relating to lift. As per this clause the structure of the lift should be independent to the existing building with connecting bridge so that it does not affect the

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: 4 :

structural stability of the existing structure. The office file/record shows that the proposed structure of the lift is independent of the existing structure and is not likely to cause any additional load on the existing structure. The arguments of the appellant that 3X3 feet holes have been punctured in the foundation of his flat is also factually incorrect as these holes has been dug to construct the lift. The respondents have only placed small platforms in this hole to install the lift and in no manner cause any damage to the foundation of the garage at the ground floor.

7. Further, it has been claimed by the appellant that there is unauthorized construction in the flats of the respondent No.2 and 3 and the sanction has been obtained on a 1990 plan without ascertaining the actual construction in the flats of Respondent No. 2 and 3. The alleged unauthorized construction in the flats of Respondents No. 2 and 3 is a separate issue and is not linked to the installation of lift. The lift will be used by all the residents of the upper floors and the benefit of lift cannot be denied to others only because Respondent No. 2 and 3 allegedly have raised unauthorized construction in their flats.

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8. The appellant does not have a prima-facie case nor the balance of convenience is in his favour. He has not approached the court with clean hands. The interim application is dismissed.
9. Nothing said hereinabove shall tantamount to have any expression on the merits of the case.

Put up for arguments on the appeal on **19.08.2026**.

(AMIT KUMAR)  
Addl. District & Sessions Judge  
P.O.: Appellate Tribunal, MCD  
03.06.2026