

A.No. 516/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Sidhi Sharma, 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 **31.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 518/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Om 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 **18.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 519/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Avinash Das and Sh. Nikhil Yadav, 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 **09.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. E-97, Preet Vihar, Delhi, in pursuance of the demolition order dated 19.05.2026 This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also 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
10.06.2026

A.No. 520/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Tarun Sharma, Ld counsel for the appellant joined through VC.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **08.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 521/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Deepesh Kasana, 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 **12.06.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant bearing no. G-36, Ground Floor, DDA Flats, Sarita Vihar, New Delhi. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. 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
10.06.2026

A.No. 522/26

10.06.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Parul Agarwal, 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 **10.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. DDA Flat no. 42-H, Pkt. L, Shiekh Sarai, Phase-2, New Delhi, in pursuance of the demolition order dated 03.06.2025. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also 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

10.06.2026

A.No. 346/19 & 710/22

10.06.2026

Present : Ms. Kawaljit Kochar, Sh. Utkarsh Vats and Sh. Deepanshu, Ld counsels for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent in appeal no. 346/19.
Sh. V.K. Aggarwal, Id. counsel for the respondent in appeal no. 710/22.
Sh. Rijuta Gupta, AE(B) in person.

Affidavit filed on behalf of the appellant.

Status report is filed by the MCD, copy supplied.

The respondent was directed to file status report qua non-compoundable deviations in the property. It is stated that temporary desealing is required for ascertaining the same.

Let the property be temporary desealed for ascertaining the non-compoundable deviations at the third floor on 15.06.2026 at 2.00 pm and after inspection be resealed immediately on the same day and status report be filed with diagram and rough sketch on the next date of hearing. The appellants are permitted to join the inspection on 15.06.2026.

Put up for awaiting further status report and arguments on **20.07.2026**, the date already fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 181/24

10.06.2026

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

Heard on the application of early hearing.

No ground for early hearing is made out. The application is dismissed.

Put up on the date fixed for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 140/25
Tulsi Devi Vs. MCD
10.06.2026

Present : Ms. Manu, Ld counsel for the appellant.

File is taken up today on an application of early hearing as well as an application seeking permission to withdraw the aforesaid appeal, filed on behalf of the appellant.

In view of the reason given, the application for early hearing is allowed and the appeal is taken up today itself.

The application stands disposed of.

Ld. counsel for the appellants submits that she has instructions from the appellant to withdraw the aforesaid appeal and she 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 aforesaid appeal stands disposed off as withdrawn.

Application seeking withdrawal of the appeal also stands disposed of.

Next date of hearing i.e. 13.08.2026 stands canceled.

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
10.06.2026

A.No. 533/25

10.06.2026

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

File taken up on the application of the appellant seeking early hearing. The appellant in this application have prayed that this appeal is disposed of since the misuser charges have already been deposited by the appellant without prejudice to his rights.

Records show that the appellant has deposited the misuser charges which was confirmed by the respondent on 18.02.2026. Since, the appellant has deposited the misuser charges and the property has been desealed, this appeal challenging the sealing order dated 15.07.2025 vide which the property was sealed on account of misuser has become infructuous. The appellant shall not use the property for any purpose other than those permitted under MPD-2021. All the interim orders stands vacated the appeal is disposed of.

Next date of hearing is cancelled.

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
10.06.2026

A.No. 280/26

10.06.2026

Present : Sh. Vinod Kumar, Husband of the appellant.
Sh. Vishnu Sharma, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy supplied.

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

An adjournment is sought on behalf of the appellant as his counsel is not available today being not well.

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

Put up for arguments on **24.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 315/26

10.06.2026

Present : Sh. Ravi Drall, Ld counsel for the appellant.
Sh. Yogesh Rai, Ld counsel for the respondent along with
Sh. Ravi Kumar, AE(B).
Sh. Armaan Monga, Id. counsel for the intervener along
with intervener.

Status report is filed by the MCD, copy supplied.

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

An application under Order I rule 10 CPC filed on behalf
of the intervener.

Application u/s 151 CPC filed on behalf of the appellant to
place on record the additional documents along with
additional document. Copy supplied to Ld. counsel for the
MCD.

Reply, if any, to application under Order I rule 10 CPC be
filed on the next date of hearing with advance copy.

Put up for arguments on both the applications, interim
application as well as appeal 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
10.06.2026

A.No. 323/26

10.06.2026

Present : None for the parties.

File was taken on an application for early hearing, for which notice has already been issued to the respondent.

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

No adverse order is being passed today.

Put up on the date fixed for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 342/26

10.06.2026

Present : Ms. Ashu Arora, Ld counsel for the appellant joined through VC along with appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Kamal Singh,LI.

Status report is filed by the MCD, copy supplied.

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

At request made by Id. counsel for the appellant, put up for arguments on **18.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 348/26

10.06.2026

Present : Sh. V.K. Mantoo, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along
with Mohd. Asif, AE(B),

Status report is filed by the MCD, copy supplied.

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

Arguments heard on the interim application.

The appellant has challenged the demolition order dated
30.12.2025 passed in respect of unauthorized
construction in the shape excess coverage and
deviations from sanctioned building plan dated
11.08.2025 on stilt to third floor of property no. 8707/3
and 8704/14, Roshnara Mansion, Roshnara Road, Delhi-
07. It was argued for the appellant that he has already
applied for regularization of existing construction which is
permitted under clause 2.8 of UBB-2016 and till the
regularization application is pending, the impugned
demolition order should be stayed.

Ld counsel for the appellant has placed reliance upon the
judgement of Hon'ble Supreme Court of India passed in
Civil appeal no. 4088 of 2008 dated 24.02.2016 titled as
Indore Municipal Corporation Vs. Harish Tolani.

Ld counsel for the respondent on the other hand has
argued that unauthorized construction in the shape of
excess coverage and deviations from sanctioned building
plan from stilt to first floor was booked on 24.10.2025 and
a show cause notice u/s 344-(1) read with 343 DMC Act

was served upon the appellant who replied the same on 06.11.2025 stating that he has demolished the extra deviations and coverage. Personal hearing was given to him and the proceedings were closed. The JE(B) thereafter inspected the property and took photographs and found that the appellant has raised construction upto third floor without demolishing the deviations and excess coverage. Thereafter the impugned demolition order was passed. The appellant did not stop unauthorized construction despite notice being issued under section 344 (1) DMC act. It was also argued that sanctioned building plan was obtained under Saral Scheme by concealing the fact that the subject property is in special area and without seeking permission from DUAIC. Notice u/s 338 has already been issued and the appellant has joined those proceedings and therefore the interim application should be dismissed.

I have perused the record. The sanctioned building plan was obtained under Saral Scheme without disclosing that the property is in special area and without obtaining the prior permission from DUAIC. The appellant also concealed these facts in this appeal. Further, when the show cause notice was served, the construction was raised only upto first floor but the appellant did not stop the construction and continued and raised the building upto third floor. The appellant falsely claimed in his reply to the show cause notice that he has demolished the deviation and excess coverage. Instead he continued with unauthorized construction. The appellant has not approached the court with clean hands and as such does not have a prima-facie case in his favour. If he has

demolished the deviation and excess coverage, there was no need for him to apply for regularization as the sanctioned building plan has not yet been revoked. This clearly shows that deviations and excess coverage still exists for which regularization has been sought. The interim application therefore is dismissed.

Nothing said hereinabove shall tantamount to have any expression on the merits of the case.

Put up arguments on appeal on 14.10.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 363/26 & 364/26

Arvind Kumar and Anr. Vs. MCD

10.06.2026

Present : Sh. Armaan Monga, Ld counsel for the appellant along with appellant Sh. Arvind Kumar.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

Record has already been submitted.

Arguments heard on both the appeals.

The impugned demolition order dated 05.05.2025 was passed in pursuance to the show cause notice dated 05.03.2025 in respect of properties no. 7/2, 7B-1 & 7/3-C, Sanjay Nagar, Opposite Gulabi Bagh, Delhi followed by the sealing order dated 23.01.2026 pursuant to the show cause notice dated 30.12.2025.

The appellants who are at part of the second floor of this property were never served with the show cause notice as well as the two impugned orders. The show cause notices were served only upon the owner/occupier of the third floor of the subject property. Since, no opportunity of reply and personal hearing was provided to the appellants, the impugned demolition and sealing orders and the show cause notices are set aside in respect of the subject property except of the third floor.

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MCD shall be at liberty to issue fresh show cause notices to the owners/occupiers of the subject property except the third floor.

With above observations, both the appeals stand disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 365/26

10.06.2026

Present : Ms. Shobhna Tanwar, Ld LAC for the appellant.
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 by the counsel for the appellant.

Notices issued to the private respondent no. 2 and 3 received back unserved with the report 'address incomplete'.

The memo of the parties show that the appellant has not mentioned the complete address of the private respondents. Let fresh memo of the parties mentioning the complete address of the private respondent no. 2 and 3 be filed by 10.07.2026 and thereafter, notices be issued to the private respondent on their respective complete addresses for **02.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 407/26

10.06.2026

Present : Sh. Karamvir Singh and Ms. Arsh Iqbal, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Record has not been filed. Let the same be produced on the next date of hearing.

Ld. counsel for the appellant intends to file certain documents. Let the same be filed with advance copy to the ld. counsel for the respondent.

Put up for arguments on **09.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 444/26 & 445/26

10.06.2026

Present : Sh. A.K. Suri, Ld counsel for the appellant.
Sh. Varun Sharma, Ld counsel for the respondent. Memo
of appearance filed.

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

Fresh documents along with list filed on behalf of the
appellant. Copy supplied.

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

At request, put up for arguments on the application
seeking condonation of delay on **14.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 454/26
Pooja Vs. MCD
10.06.2026

Present : Sh. Shikhar Singh, Ld counsel for the appellant.
Sh. Reshul Mitira and Sh. Madhav Saraswat, Ld. proxy
counsels for Sh. Yusuf Jawaid, Advocate, for the
respondent. Memo of appearance filed.

Status report is filed by the MCD, copy supplied.

Record has already been submitted.

Ld. counsel for the appellant submits that Baljit Nagar colony is in the list of 1511 colonies for which the Government has now taken a decision to regularize and the appellant has already started the process and survey has already been conducted on 26.05.2026. Copy of the same is placed on record.

Till said regularization application is pending, no coercive action be taken against the property of appellant i.e. T-321, near Valmiki Mandir, Baljeet Nagar, Delhi, in pursuance of the impugned order till next date of hearing. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also 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.

Put up for arguments on **09.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 474/26

10.06.2026

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

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

Let the same be collected by the appellant.

Record has already been submitted.

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

No adverse order is being passed today.

Put up for arguments on **13.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 505/26

10.06.2026

Present : Sh. Samaan Vardhan Gautam and Ms. Khushi Sharma,
Ld counsels for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish
Sabharwal, Ld. counsel for respondent.

An application seeking amendment in the appeal along with proposed amended appeal filed by the appellant. Copy supplied.

Vide this application, the appellant wants to mention the address of the subject property as 'Municipal no. 10074 (8/38), Plot no. 38, WEA, Karol Bagh, New Delhi' instead of earlier mentioned address '5566/75, Rehgar Pura, Karol Bagh, New Delhi'. The amendment sought is formal in nature and same is allowed. The application stands disposed of. The amended appeal is taken on record.

It is stated by the respondent that the property no. 8/38, WEA, Karol Bagh was booked vide show cause notice dated 01.04.2026 followed by the demolition order dated 24.04.2026 in respect of deviations and excess coverage from basement to third floor including stilt of the subject property.

Let the office record be produced.

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: 2 :

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of this demolition order. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also 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.

Without prejudice to the rights of the respondent, let the soft copy of the show cause notice and the demolition order be supplied to the Id. counsel for the appellant today itself.

At request, put up for awaiting record and arguments on **07.07.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 28/26 (M) & 29/26 (M)

10.06.2026

Present : Sh. Amit Vohra, Ld counsel for the appellant joined through VC.

Submissions heard. File perused.

These are two contempt petitions seeking compliance of the order dated 02.04.2019.

Issue notice of this petitions to the respondent/MCD through concerned Chief Law officer for **17.07.2026**.

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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 108/24

10.06.2026

Present : Ms. Sakshi, Ld. Proxy counsel for the appellant. Fresh Vakalatnama filed, same is taken on record.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Anant Rao, Id counsel for the intervener along with intervener.

An adjournment is sought on behalf of the appellant as son of main counsel is hospitalized.

Same is strongly opposed as the appellant is enjoyed the protection under an interim order and is only trying to delay the matter.

I have perused the record. The appellant sought adjournment on the ground of ailment of the counsel on 24.07.2025 and thereafter, on 18.12.2025 on the ground that counsel is out of country. On the last date of hearing i.e. on 21.04.2026, a fresh vakalatnama was filed on behalf of the appellant and the counsel sought adjournment on the ground that he has applied for certified copies and today another vakalatnama has been filed for the appellant.

The appellant is trying to take benefit of the interim order by seeking adjournments on the one or other ground. In these facts, it is a fit case where the interim protection should be vacated and therefore, the interim protection

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given to the appellant on 06.03.2024 is vacated. The MCD is directed to take and to file the status report on the next date of hearing.

Put up for awaiting status report and arguments on **28.07.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 233/17 & 234/17
Rajesh & Anr. Vs. MCD

10.06.2026

Present : Sh. N.S. Nangia, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 233/17.
Ms. Praveen Sharma, Ld. counsel for the respondent in appeal no. 234/17 joined through VC.

An application under Order VII rule 14 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.

Arguments heard.

1. These are two appeals challenging the demolition order dated 07.04.2016 in appeal no. 233/17 passed in respect of unauthorized construction in the shape of deviations against sanctioned building plan dated 23.11.2015 in respect of property no. A-54/366 (old no. 366) Ganesh Nagar, Shakarpur, Delhi and the revocation of sanctioned building plan order dated 19.08.2016 vide which the sanctioned building plan was revoked on the grounds of misrepresentation of facts.

Contd...2/-

: 2 :

2. The appellants have challenged these two orders on the grounds that none of the show cause notices in pursuance to which these two orders were passed were served upon the appellants nor the opportunity of being heard was given.
3. Ld counsel for the respondent has disputed this submission and it has been argued that same were sent through speed post in the name of appellant no. 1 at the correct address and there is presumption of service u/s 27 of the General Clauses Act and the appellants have failed to rebut this presumption and therefore there are no merits in the arguments of non-service of show cause notices.
4. I have perused the record. The show cause notice u/s 344(1) read 343 DMC Act was sent in the name of appellant no. 1 through speed post on 10.11.2016 but there is no track consigned record. It was never issued in the name of appellant no. 2 who is co-owner of the property.
5. Similarly, the show cause notice u/s 338 of the DMC Act dated 04.05.2016 was sent through speed post in the name of appellant no. 1 on 05.05.2016. There is no track consigned record nor it was issued in the name of appellant no. 2 who is a co-owner.

Contd...3/-

: 3 :

6. The Principles of Natural Justice were violated has neither opportunity of reply nor personal hearing given to the appellant.
7. In these facts, the impugned demolition order dated 07.04.2016 and revocation order dated 19.08.2016 in respect of the subject property is set aside 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 01.07.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 148/18, 166/18 & 233/18

10.06.2026

Present : Sh. S.K. Pathak, Ms. Yashika and Sh. S.K. Tiwari, Ld counsels for the appellant along with appellant Rohit Malik.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Ashish Kumar Bhagat, Id. counsel for the intervener joined through VC.

An application has been filed by the appellant seeking temporary desealing of the third floor of the property. It is stated that the appellant has also applied for regularization of the construction at the third floor. Copy supplied.

Temporary desealing of the third floor of the property has been sought since the appellant has applied for its regularization and there is also a prayer of cleaning and waterproofing the third floor which is lying sealed since 2018.

Physical inspection of the site is the last step of regularization and the property will be temporary desealed as and when same is required by MCD.

As far as cleaning and waterproofing is concerned, the property is lying sealed since last eight years and there seems to be no urgency in temporary desealing the property for this purpose. The application is dismissed.

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Be awaited for status report of the regularization application of the appellant on next date of hearing and in the meantime, the appellant may make an effort to settle the matter with the occupants of the other floors.

Put up for awaiting status report and 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
10.06.2026

A.No. 178/19 & 179/19
Kamla Datta Vs. MCD

10.06.2026

Present : None for the appellant.
Ms. Shivani, Ld. counsel for the respondent in both the
appeals through VC.

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/10.06.26

At 2.40 pm

Present : None for the appellant.
Ms. Shivani, Ld. counsel for the respondent in both the
appeals through VC.

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
..... as well.

It is already 2.40 pm. It appears that the appellant is not
interested in pursuing these appeals. The aforesaid
appeals are 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

10.06.2026

A.No. 159/23 & 188/23

10.06.2026

Present : Sh. Ayush Sharma, son of the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 159/23.
Ms. Praveen Sharma, Ld counsel for the respondent in appeal no. 188/23 joined through VC.
Sh. Ravi Ranjan, Ld. proxy counsel for Sh. Abhishek Grover, ld. counsel for the intervener.

The intervener has moved an application for change of date when the court was on leave.

IN view of the same, put up for arguments on

It has been stated for the intervener that entire certified copy which was applied by the intervener has not been provided and there are some deficiencies. The intervener is directed to point out the deficiencies to the Registry within 2 weeks from today and as soon as the same is brought to the notice of Registry, the same be provided within a week thereafter except of personal documents of the appellant.

Put up for arguments on this appeal 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
10.06.2026

A.No. 1074/24

10.06.2026

Present : Sh. Anmol Aggarwal and Sh. Kushal Gupta , Ld counsel
for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on **04.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026

A.No. 36/25

10.06.2026

Present :

Sh. Nitesh Kumar Jha, Ld. proxy counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Previous cost dated 21.04.2026 has been deposited, but not the cost dated 14.05.2025.

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

Same is strongly opposed.

Record shows that despite cost of Rs. 5,000/- on 14.05.2025 which is yet to be deposited and further cost of Rs. 10,000/- on 21.04.2026, which has been deposited, there is no deterrent to the appellant in seeking adjournments and enjoying benefit of an interim order. The counsel should have pointed out on the last date that he will be out of country today. There are no reason to grant any further opportunity. However, in the interest of justice, another last and final opportunity is granted to the appellant to address the arguments in the matter subject to cost of Rs. 50,000/- to be deposited with the Registry of this Tribunal.

Put up for arguments on **17.08.2026**.

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

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD/10.06.2026

A.No. 537/25

10.06.2026

Present : Sh. S.M. Pandey, Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The AE was directed to be present in person, but is absent without explanation. Let the Executive Engineer be present in person with explanation on the next date of hearing.

Put up for further proceedings/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
10.06.2026

A.No. 557/25

10.06.2026

Present : Sh. Yash Aggarwal , Ld counsel for the appellant joined through VC.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. S.M. Pandey, Ld. counsel for the intervener.

At request, put up for arguments with connected appeal 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
10.06.2026

A.No. 697/25 & 698/25

10.06.2026

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

Part arguments heard.

The respondent is directed to produce the entire record of the proceedings u/s 345-A DMC Act particularly the service of the show cause notice and the sealing order, on the next date of hearing.

Put up for further 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
10.06.2026

A.No. 235/23 & 651/23

10.06.2026

Present : Sh. G.R. Verma, Ld counsel for the appellant.
Sh. V.K, Aggarwal Ld counsel for the respondent in appeal no. 235/23.
None for the respondent in appeal no. 651/23.

1. These two appeals are listed for orders.
2. I have gone through the record. The respondent passed the first demolition order dated 24.04.2023 in respect of unauthorized construction in the shape of part ground floor (half portion) on front side and shuttering at part first floor (half portion) on the front side which has been challenged in appeal no. 235/23 and thereafter passed the second demolition order dated 30.06.2023 in respect of unauthorized construction at first, second and third floor front side which has been challenged in appeal no. 651/23.
3. Prior to these two appeals the appellant had filed appeal no. 707/18 which was in respect of unauthorized construction in the shape of part ground floor (half portion) on front side and shuttering at part first floor (half portion) on the front side. The appellant in that appeal filed the site plan showing construction upto third floor. If the construction upto third floor was existing as on the date of filing appeal no. 707/18 on 25.09.2018, the same could not have been new construction for which subsequent demolition order dated 30.06.2023 was passed.
4. In both these bookings of ground and shuttering at first floor and first to third floor, the front side of the

property is common while mentioning that the construction in the rear side is old and occupied.

5. In these facts, MCD is directed to inspect the subject property i.e. F-235, Tehkhand Village, Pandit Mohalla New Delhi for the portion owned by the appellant Mahesh Chand Sharma and filed status report in respect of entire construction existing in the property from ground to third floor in both front and rear portion with a rough sketch of the property. Let the said inspection be done within 3 weeks and status report be filed on next date of hearing.

Put up awaiting status report and arguments on appeal 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
10.06.2026

A.No. 76/25

10.06.2026

Present : Appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent
MCD.
Sh. K. D. Sharma, , Ld counsel for the respondent DDA.

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 files be consigned to record
room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
10.06.2026