

A.No. 589/26

14.07.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Ashu Arora, 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), 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
14.07.2026

A.No. 593/26

Vikas Jain and Anr. Vs. MCD

14.07.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Razia Sultana and Sh. Ankush Chouhan, 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 **17.08.2026**.

Till next date of hearing, no coercive action be taken
against the property of appellant i.e. property no. 107,
Samman Bazar, Bhogal, New Delhi, in pursuance of the
demolition order dated 16.06.2026. 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.

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The respondent shall inspect the property and file the rough map showing the exact constructions of the property and if the same is found in variation to the affidavit of the existing structure filed by the appellant in his affidavit of existing construction, the appellant shall be liable for prosecution for filing false affidavit.

Copy of this order be sent to the respondent for information and necessary compliance.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 596/26

14.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shashank 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 **22.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 598/26

14.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ashkrit Tiwari and Sh. Rajendra Beniwal, 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 **13.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 127/26
Ismail Vs. MCD

14.07.2026

Present : Sh. Ch. Rabindra Singh and Sh. S.D. Gupta, Ld counsels for the appellant.
Sh. Abheet Mangleek, Ld. counsel for the respondent in appeal no. 127/26 along with Sh. Harjit Singh, AE(B), SSZ. Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy supplied.

The record has been produced.

Arguments heard on the applications seeking condonation of delay of more than 7 years in filing the aforesaid appeal. As per the appellant, neither the show cause notice under Section 345-A DMC Act dated 21.03.2018 nor the sealing order dated 17.04.2018 passed in respect of unauthorized construction in the shape of basement to third floor and projection on municipal land of property house no. 360, Block-15, Trilok Puri, Delhi, were served upon the appellant.

Ld counsel for the respondent on the other hand states that show cause notice was sent through speed post and there is a presumption of service u/s 27 of the General Clauses Act.

I have perused the office record.

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The show cause notice was sent through speed post on 05.04.2018, but there is no track consignment report nor any effort was made to serve the appellant personally or through pasting.

Further, the sealing order dated 17.04.2018 was never sent by any mode to the appellant nor served till partial action was taken on 12.06.2025. In these facts, the delay is condoned. The application seeking condonation of delay stands disposed of.

Arguments also heard on the appeal. Record perused

Now, coming to the merits of this appeal, the sealing order was passed on 17.04.2018 and no action was taken for more than seven years by the respondent, who suddenly woke up from the sleep on 12.06.2025 and took partial action against the property. The demolition order dated 20.03.2018 in pursuance to which the sealing order was passed, was set aside by this court on 06.02.2026 in appeal no. 545/25 and the matter was remanded back.

In these facts, the sealing order dated 17.04.2018 is set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be filed by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 04.08.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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It is however specified that since demolition order dated 10.04.2026 has already been passed against this property after the matter was remanded in appeal no. 545/2025, the property shall not be desealed during the proceedings before the Quasi Judicial Authority.

With the above observations, the appeal stands disposed of.

Record of the respondent, filed today be returned and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 440/26

14.07.2026

Present : Sh. Ch. Rabindra Singh and Sh. S.D. Gupta, Ld counsels for the appellant.
Sh. Ayush Mittal, Ld counsel for the respondent along with Sh. Harjit Singh, AE(B), SSZ. 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 the counsel for the appellant.

Ld. counsel for the respondent seeks copy of the entire paper book. Let the same be supplied afresh to the ld counsel for the respondent.

On request put up for arguments on **05.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 344/26

14.07.2026

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Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.

Sh. Jasman Singh, Ld counsel for the respondent along with Sh. Ashok Kumar, ASO, NDMC.

File is not traceable.

Registry is directed to trace the file and place it on the next date of hearing.

Put up for awaiting file and arguments on **06.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 477/26

14.07.2026

Present : Sh. Adarsh Sharma, Ld Proxy counsel for the appellant.
Sh. Abheet Mangleek, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record

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

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

At request, put up for arguments on **27.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 524/26

14.07.2026

Present : None for the appellant.
Sh. Nitin Arora, Ld counsel for the respondent along with Sh. Subodh Hathwal, AE(B). Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy placed on record. The record has been produced. It be deposited with Registry. It can be inspected by the counsel for the appellant.

Ld. counsel for the respondent seeks copy of the appeal and paper book. Let the same be supplied.

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

No adverse order is being passed today.

Put up for arguments on **30.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 570/26

14.07.2026

Present : Sh. Rahul Sharma, Sh. Droan Dutt, Sh. Rohit Rawat, Sh. Piyush Pahuja and Ms. Harshita Rawat, Ld counsels for the appellant.
Sh. Sanjay Sharma and Sh. S.G. Asthana, Ld counsels for the respondent along with Sh. Chandan Kr. AE. Memo of appearance filed.

Ld. counsel for the respondent seeks time to file the reply as well as the record. Let the same be so filed.

It is further submitted on behalf of the respondent that part demolition action has already been taken against the property on 07.07.2026 and a Board mentioning that the property belongs to the DDA, has already been affixed at the site.

At request, put up for 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
14.07.2026

A.No. 225/23 & 226/23

14.07.2026

Present : Sh. Sarthak Tagra, Ld. Proxy counsel for the appellant through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

Same is opposed.

Record shows that the appellant has been taking repeated adjournments in the matter, however, in the interest of justice one more opportunity is granted to the appellant to address the arguments in the matter subject to cost of Rs. 10,000/- in each appeal to be deposited with Registry of this Tribunal.

At request, put up for arguments 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
14.07.2026

A.No. 342/17

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent joined through VC along with Mohd. Asif, AE(B).

Status report is filed by the MCD, copy supplied.

As per the status report, the regularization application is still under process.

Be awaited for further status report qua the said regularization application on **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 659/19

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Arguments heard at length.

Put up for orders 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
14.07.2026

A.No. 519/22

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the respondent on the ground that he is not carrying his case file today.

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

Put up for arguments on **17.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 16/23 & 212/23

14.07.2026

Present : Sh. Ramesh Kumar, Ld. Senior counsel for the appellants.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 16/23.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 212/23.
Sh. Abhishek Kaushik, Ld. counsel for the intervener along with intervener joined through VC.

Ld. counsel for the appellant seeks adjournment on the ground that he has yet to take the certified copy of the record.

More than 6 months have been passed since the last date, but same has not yet been done.

However, at request, one more opportunity is granted to the appellant to address the arguments in the matter on the next date of hearing.

Put up for arguments on **05.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 52/23

14.07.2026

Present : Sh. Shankar Lal, husband of the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Rakesh Nagar is not un-available today due to some personal difficulty.

Ld. counsel for the respondent also seeks adjournment on the ground that he has received the brief of the case yesterday only and he needs some time to go through the record.

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

Put up for arguments on **21.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 553/23 & 1057/24
Rajesh Kumar Vs. MCD

14.07.2026

Present : Sh. P.S. Mehar, Ld counsel for the appellant along with appellant.
Sh.H.R. Aggarwal, Ld counsel for the respondent in appeal No. 553/23.
Ms. Mehak Arora, Ld. counsel for the respondent in appeal No. 1057/24.

Ld. counsel for the appellant submits that the appellant, who is present in person, wants to withdraw the aforesaid appeals and the appellant may be permitted to withdraw the aforesaid appeals.

Statement of the appellant recorded separately to this effect.

In view of the statement made by the appellant himself, the aforesaid appeals are 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
14.07.2026

A.No. 81/24

14.07.2026

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

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 on the next date of hearing.

Put up for arguments on **03.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 209/24

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC along with Sh. Shiv Chopra, Advocate
in person.
Sh. Malay Kumar Chand, Ld. counsel for the intervener
joined through VC along with Sh. Ranjeet, Adv. in person.

Arguments heard.

The intervener earlier said that he had no intentions to file title documents of the second floor of the property owned by him in the subject property, now today during arguments, it is stated that same shall be filed within 2 days. The intervener is directed to file the copy of the sale deed of the second floor claimed to be the third floor by the intervener within 2 days.

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 461/24 & 1081/24

14.07.2026

Present : Sh. Simarpal Singh Sawhney, Ld counsel for the appellant.

Sh. Ashutosh Gupta. Ld. counsel for the respondent.

Arguments heard at length.

Put up for order on **25.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 676/24, 688/24 & 691/24

14.07.2026

Present : Sh. Harshita Kotru, Ld Proxy counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal no. 688/24.
Sh. Pritish Sabharwal, Ld. counsel for the respondent in appeal no. 676/24 and 691/24 joined through VC along with Sh. Shiv Chopra, Adv.

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

Put up for arguments on **31.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 760/24, 972/24, 973/24, 974/24, 975/24, 976/24 & 977/24

14.07.2026

Present : Sh. Charanjeet, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no 760/24.
Sh. Pritish Sabharwal, Ld counsel for the respondent in remaining appeals joined through VC along with Sh. Shiv Chopra, Adv.

Part arguments heard.

The appellant has relied upon the electricity bills to show that the construction is old prior to 01.06.2014 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Let the electricity connections be verified by the respondent and status report be filed in respect of all the electricity meters.

At request, put up for further arguments on **28.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 895/24

14.07.2026

Present : Ms. Azka, Ld counsel for the appellant joined through VC along with Sh. Zamil Ahmad, law student/intern.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Vaibhav Sanwal, Adv.

Status report is filed by the MCD in compliance to the last order. Copy supplied.

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

At request, put up for arguments on **16.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 1085/24

14.07.2026

Present : Ld. Proxy counsel for the appellant.
Sh. S. Adil Hussain, Ld. counsel for the respondent joined through VC along with Ms. Rani Prajapati, Adv. Fresh Vakalatnama filed, same is taken on record

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

Put up for arguments on **02.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 267/25

14.07.2026

Present : Sh. Gaganpreet Singh, Ld. Proxy counsel for the appellant.

None for the respondent.

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

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

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

At request, put up for arguments on **04.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 516/25
Harish Chander Mishra vs. MCD

14.07.2026

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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 appellant, the aforesaid appeal stands disposed off as withdrawn.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 644/25

14.07.2026

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC.

Ld. counsel for the respondent seeks time to file the reply
to the application seeking condonation of delay.

Let the same be positively filed within 4 weeks from today
with advance copy to the Ld counsel for the appellant.

Put up for reply and arguments on the said application 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
14.07.2026

A.No. 773/25

14.07.2026

Present : Ms. Kritika, Ld. Proxy counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel has gone to Karkardooma Courts in some matter.

On the last date of hearing, Id. counsel for the appellant sought time to file application seeking condonation of delay, but same has not yet been filed and one more opportunity sought in this regard.

Though, there is no reason for adjournment and for giving further time to file such application, however, in the interest of justice, one more opportunity is granted to the appellant to do the needful and to address the arguments in the matter subject to cost of Rs. 5,000/- to be deposited with Registry of this Tribunal

Put up for arguments on **02.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 79/26 & 81/26

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Common status report is filed by the MCD in both the matters. Copy supplied.

As per the status report, a non-compoundable deviations still exists in the property.

The appellant has moved an application seeking further temporary desealing of the property to remove the non-compoundable deviations which could not be demolished in the time-frame of one month as per the order dated 06.05.2026. Photographs of partial demolition of non-compoundable deviations have been annexed with this application.

In these facts, let the property be further temporary desealed for one month from 20.07.2026 at 12.00 noon and shall be resealed on 19.08.2026 at 12.00 noon.

The appellant in the meantime shall demolish the non-compoundable deviations.

Status report in respect of non-compoundable deviations, if any, at the time of resealing on 19.08.2026, be filed on the next date of hearing.

Put up for further proceedings on 25.08.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 122/26

Sangeta Singh & Ors. Vs. MCD

14.07.2026

Present : Sh. Jatin Arora, Ld counsels for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Dalip Rastogi, Id. counsel for the respondents no. 2 to 7 along with some of the respondents.

Arguments heard.

1. This is an appeal challenging the 'No Objection Certificate' dated 23.06.2025 given by MCD for installation of lift in flats no. 203, 204, 301, 302, 303 and 304, Block-C, Arya CGHS Society, Sector-15, Rohini, Delhi. The NOC was granted to private respondents 2 to 7. There are 10 appellants and only 4 of them are residents of C-Block of this society whereas the remaining 6 are residents of A & B Block. Out of 4 who are residents of C-Block, appellants No. 2 & 3 are at the ground floor flats whereas appellant no. 1 is a resident of second floor flat and appellant no. 4 is a resident of first floor flat.
2. The appellants have challenged this NOC on the ground that MCD granted this NOC without inspection at site and without ascertaining the structural stability and easement rights of the appellants. This NOC was granted in violation of clause 8 of the policy of lift. The permission was granted without having sanction

Contd...2/-

: 2 :

building and layout plan of the society. The clause 13 of lease deed of the society states that no construction shall be carried without consent of the lessor. The MCD did not consider that the room of the lift shall affect the space of one car in the underground parking. The common place where the children of Block A, B & C play shall be blocked. The architect of the appellants has given his report that the stability of the structure has been compromised and therefore the impugned NOC should be revoked.

3. Ld counsel for the respondent/MCD on the other hand argued that the NOC was accorded as per the lift policy and there is no irregularity in granting the NOC.
4. Ld counsel for the private respondents on the other hand argued that the appellants who are not residents of C-Block have no right to question the NOC for installation of lift. Further, the appellants have raised unauthorized construction in their properties and are claiming easementary rights in respect of those unauthorized constructions. The respondents obtained NOC after fulfilling all the requirements of the NOC policy and lift has already been installed. The structural stability report relied by the appellants is procured and cannot be considered and the appeal should be dismissed.

Contd...3/-

: 3 :

5. I have perused the record. The NOC for installation of lift has been accorded in C-Block of this society and the appellants who are residents of Block A & B have no locus to challenge this NOC. Further, the society building has been raised after obtaining proper sanction building plan and layout plan and there is no merit in the arguments of the appellants that there is no sanctioned building plan of the society with MCD. Appellants no. 2 & 3 are residing at ground floor and their consent is not required. More than 50% residents of the upper floor of the C-Block have given their consent which is sufficient to apply for NOC for installation of lift.
6. Coming to the aspect of structural stability, the private respondents filed their application seeking NOC after complying with all the mandatory requirement by filing structural stability certificate, NOC, undertakings, indemnity bonds etc. The structural stability report obtained by the appellants cannot be a ground to revoke the NOC of lift taken by the private respondents.
7. The appellants also raised an issue of blocking one car parking space in the basement. Not only that the lift is now a necessity and not a luxury, it is also relevant to note that Resident Welfare Management

Contd...4/-

: 4 :

Committee of the society has no objection for installation of lift room of which will go to the basement and will block one car parking space. Once a call has been taken by the Managing Committee on this aspect, the residents of the society are bound by the same.

8. In these facts, there are no grounds to revoke the NOC dated 23.06.2025, the appeal is devoid of merits and hereby dismissed.
9. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 193/26

14.07.2026

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

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

Respondent seeks some more time to file the status report regarding the regularization application of the appellant.

At request, put up for arguments on **21.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 195/26

14.07.2026

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

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

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

Put up for arguments on **03.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 412/26

14.07.2026

Present : Sh. Ghanshyam Mishra, Ld counsel for the appellant joined through VC.

Sh. Sanjay Sharma and Sh. S.G. Asthana, Ld counsels for the respondent joined through VC. Fresh Vakalatnama filed by one proxy counsel, same is taken on record.

Reply along with documents filed by the DDA. Copy supplied to the clerk of the counsel.

Ld. counsel for the appellant seeks time to go through the reply and documents and to argue the matter.

At request, put up for arguments on **27.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
14.07.2026

A.No. 311A/23

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
None for the respondent no. 1 and 2.

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

No adverse order is being passed today.

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
14.07.2026

A.No. 605/14

14.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.
None for the Intervener.

Vide separate judgment of even date, the present appeal is dismissed.

Both the records of the respondent, 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
14.07.2026