

A.No. 603/26
Ranjit Singh Walia Vs. MCD

16.07.2026
Fresh appeal received. It be checked and registered.

Present : Ms. Renuka Singh and Sh. Shikhar Tandon, 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 **21.09.2026**.

Till next date of hearing, the operation of the impugned vacation notice is stayed. 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
16.07.2026

A.No. 606/26

16.07.2026

Fresh appeal received. It be checked and registered.

Present : None for the appellant.

File perused.

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

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

Put up for arguments on interim application(s) and appeal on **23.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 608/26
Mukesh Kapoor Vs. MCD

16.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. S.B. Pandey, Ld counsel for the appellant along with appellant.

Submissions heard. File perused.

Two electricity bills filed on behalf of the appellant. Same are 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 **03.08.2026**.

Till next date of hearing, no coercive action be taken against the third floor of the property no. 28/27, East Patel Nagar, New Delhi in pursuance of the demolition order dated 02.07.2026. 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

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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
16.07.2026

A.No. 38/24 : Brij Mohan Gupta Vs. MCD
A. No. 67/24 :Rohit Gupta and Anr. Vs. MCD
A. No. 68/24 : B.M. Gupta Hospital (P) Ltd. vs. MCD
A. No. 69/24 : Brij Mohan Gupta Vs. MCD
A. no. 118/24 : B.M. Gupta Hospital (P) Ltd. vs. MCD
A. No.119/24 : Rohit Gupta Vs. MCD

16.07.2026

Present : Sh. R.K. Ruhil, Ld counsel for the appellant along with
Sh. Anil Kumar, Adv.
Sh. Ashutosh Gupta, Id. counsel for the respondent

Files are taken up today the applications of early hearing as well as applications seeking permission to withdraw the aforesaid appeals filed on behalf of the appellant.

Submissions heard. Applications perused.

In view of the reason given, the application seeking early hearing is allowed and the files are taken up today.

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

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

In view of the statement made by the Id. counsel for the appellants, the aforesaid appeals are disposed off as withdrawn. The applications seeking permission for withdrawal of the aforesaid appeals also stand disposed of.

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Date of 06.08.2026 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
16.07.2026

A.No. 396/25
Aparna Bhargava Vs. MCD

16.07.2026

Present : Ms. Anju Lal, Sh. Rajiv Sharma and Ms. Snalulal, Ld
counsels for the appellant.

File is taken up today on an application of urgent hearing
and relief filed on behalf of the appellant.

Let notice of this application be issued to the respondent
for **30.07.2026**.

Till then, the basement of the property bearing no. 37,
Bungalow Road, Kamla Nagar, Delhi, be not sealed in
pursuance to the impugned sealing order dated
21.04.2025.

Copy of this order be given dasti to the Id counsel for the
appellant as requested.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 20/26

Amod Aggarwal and Anr. Vs. MCD

16.07.2026

Present : Sh. Devender Kumar, Ld counsel for the appellant.
Sh. V.K. Aggarwal , Ld counsel for the respondent. Memo
of appearance filed.

Status report is filed by the MCD, copy supplied.

Record of this case has already been filed in appeal no.
202/23.

Arguments heard in this appeal as well as in all the
connected appeals listed today pertaining to the Pink
Apartment, Sector-13, Rohini, Delhi.

Record shows that vide a common show cause notice
dated 14.07.2020, the respondent booked as many as 74
flats of this society stating 'unauthorized construction in
the shape of deviations/excess coverage against the
standard building plan in various flats in Pink Apartment.
(List Enclosed)' and in pursuant thereto passed a
common demolition order dated 24.07.2020 for all these
flats on the same common booking.

The respondent is supposed to issue separate show
cause notice to each and every flat specifying the details
of the deviations/excess coverage in that particular flat
and cannot pass a common order for 74 flats without
specifying the details of the alleged deviations/excess
coverage.

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Not only that the show cause notice lacks necessary details, but is also a common show cause notice, which is not sustainable.

In these facts, the show cause notice is quashed and the demolition order is set aside with liberty to respondent to issue fresh show cause notice, if any required, to each and every flat separate and to pass separate demolition order as per law.

With the above observations, the appeal is allowed.

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
16.07.2026

A.No. 246/26

16.07.2026

Present : Ms. Niyati Razdan, Ld counsel for the appellant joined through VC along with appellant in person.
Ms. Hartia Mehta, Ld counsel for the respondent joined through VC along with Sh. Harjeet Singh, AE(B).

Status report is filed by the MCD, copy supplied to the appellant, who is present in person.

As per the status report, the record of the subject property has already been submitted and is annexed with appeal no. 284/26 listed on 11.08.2026.

The appellant can inspect the record and also to take certified copy of the record, if desired, annexed with that appeal.

Put up for arguments with connected appeal on **11.08.2026.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 252/26
Ritu Khullar Vs. MCD

16.07.2026

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

The record has been produced.

Arguments heard. Record perused.

The show cause notice and the impugned demolition order was passed in the name of one Mr. Kanish Khullar and Sh. Sanjay Arora, whereas as per the documents, the appellant, who is the widow of late Sh. Rakesh Khullar, is the owner of the subject property.

Since, the show cause notice and demolition order were not issued in her name and she was not provided the opportunity of being heard, the impugned demolition order dated 13.03.2026 passed in respect of third floor of the property no. 40/142, Pkt. 40, C.R. Park, New Delhi, is set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 03.08.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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With the above observations, the appeal stands disposed of.

Record of the respondent, is returned to the MCD today itself.

Appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 254/26

16.07.2026

Present : Sh. Shubham Gupta, Ld counsel for the appellant joined through VC.
Sh. Shivang Chaturvedi, Ld counsel for the respondent joined through VC along with Sh. Mukesh Gaur, AE(B) in person.

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 **03.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 535/26
Manjit Kaur and Anr. vs. MCD

16.07.2026

Present : Sh. Sanjay, Ld counsel for the appellant.

File is taken up today on the application for pre-ponement of date of hearing and seeking withdrawal of the aforesaid appeal filed on behalf of the appellant.

Submissions heard. Applications perused.

In view of the reason given, the application seeking early hearing is allowed and the file is taken up today.

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

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

In view of the statement made by the Id. counsel for the appellants, the aforesaid appeal is disposed off as withdrawn. The application seeking permission for withdrawal of the aforesaid appeal also stand disposed of.

Date of 01.09.2026 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/16.07.2026

A.No. 1089/15

16.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

It is stated by the Id. counsel for the appellant that the appellant does not have the original rent agreement date 01.04.2005 in respect of the third floor of the property, but has placed on record a copy of the cross-examination of the said tenant in CS no. 6645/2016 (old no. 366/14) where the copy of this rent agreement was marked as Mark-A and was relied upon by late Sh. Prahlad Chand Gupta, who was the husband of the appellant and was defendant no. 5 in that suit. Copy supplied.

Arguments heard on the appeal.

Put up for orders 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
16.07.2026

A.No. 381/17 & 434/17

16.07.2026

Present : Appellant in person.
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal No.381/17.
Sh. H.R. Aggarwal, Ld counsel for the respondent in appeal No.434/17.

Appellant seeks some more time to apply for regularization as it is stated that her counsel has refused to assist her.

The appellant is given one last and final opportunity to do the needful in this regard, failing which, the appeals shall be heard and decided on its own merits.

At request, put up for arguments on **01.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 843/17

16.07.2026

Present : Sh. Girish Upadhyay, Ld counsel for the appellant.
Sh. Dharmvir Gupta , Ld counsel for the respondent.

An adjournment is sought by the ld. counsel for the appellant on the ground that he is not ready for arguments today..

The appeal pertains to the year 2017. However, 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 **03.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 134/19 & 135/19

16.07.2026

Present : Ms. Shreya Gupta, Ld. counsel for the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent/
MCD.
Ms. Kajal Chandra, Ld. counsel for the respondent no. 3
through VC along with Sh. Atul Verma and Sh. Suyash
Swarup, Advocates. Fresh Vakalatnama filed, same is
taken on record.

List of documents along with documents filed on behalf of
the respondent no. 3. Copy supplied to the Id counsels
for the respondent as well as the appellant.

It is submitted on behalf of the respondent no. 3 that the
Hon'ble High Court in W.P.(C) no. 6535/2020 recorded in
the order dated 25.02.2021 that the construction has
been raised by the respondent no. 3 (who was petitioner
therein) as per the building bye-laws and thereafter that
writ petition was disposed on 05.03.2021 on the
undertaking of the respondent no. 3 that the two
properties shall not be amalgamated and for that reason,
there is no requirement to file the sanctioned building
plan before this Tribunal as directed by this Tribunal.

I have perused the order passed by the Hon'ble High
Court.

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The respondent no. 3 was directed to file those sanctioned building plans vide orders dated 17.10.2025, when the respondent no. 3 stated that the construction has been raised as per the approved fresh building plan. Since, respondent no. 3 is reluctant to file the fresh sanctioned building plan, MCD is directed to file the sanctioned building plan issued to the respondent no. 3 in respect of the subject properties along with fresh detailed status report whether the construction existing as on today is as per the purported sanctioned building plan relied upon by the respondent no. 3, on the next date of hearing.

Director of the respondent no. 3 is not present today in the court physically despite directions given vide last order, nor has filed the reply to the show cause notice.

Put up for awaiting further status report and arguments on **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 217/21 & 284/25

16.07.2026

Present : Ms. Sana Ansari, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as she is not ready with the arguments today due to bereavement in her 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 **17.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

ATMCD APPEAL NO. 202/23 - RAVI CHAWLA Vs. MCD
ATMCD APPEAL No. 738/23 - JAY JUNEJA Vs. MCD
ATMCD APPEAL NO. 739/23 - MUKESH JAIN Vs. MCD
ATMCD APPEAL NO. 740/23 - MAYANK JAIN Vs. MCD
ATMCD APPEAL No. 741/23 - SANJEEV MISRI Vs. MCD
ATMCD APPEAL No. 825/23 - SUSHILA DEVI GUPTA Vs. MCD
ATMCD APPEAL No. 826/23 - RAJESH AGGARWAL AND ANR.Vs.MCD
ATMCD APPEAL No. 827/23 - MAN MOHAN BHATIA Vs. MCD
ATMCD APPEAL No. 834/23 - DEEPAK BHATAI Vs. MCD
ATMCD APPEAL No. 835/23 - GOBINDER KAUR Vs. MCD
ATMCD APPEAL No. 836/23 - LALTESH THAKUR Vs. MCD
ATMCD APPEAL No. 33/24 - AJAY BHATIA Vs. MCD
ATMCD APPEAL NO. 34/24 - AMISHA BHATIA Vs. MCD
ATMCD APPEAL No. 35/24 - AVADHESH GUPTA AND ANR Vs. MCD
ATMCD APPEAL No. 52/24 - SUSHMA BHATIA Vs. MCD
ATMCD APPEAL No. 309/24 - BHOOP SINGH Vs. MCD
ATMCD APPEAL No. 310/24 - MUKESH KUMAR SHARMA Vs. MCD
ATMCD APPEAL No. 311/24 - SATYAPAL SINGH Vs. MCD
ATMCD APPEAL No.843/25 - NARENDER KUMAR GOYAL AND ANR
Vs. MCD
ATMCD APPEAL No.844/25 - SANJAY BANSAL AND ANR Vs. MCD

16.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant in appeal nos. 738/23, 739/23, 740/23 & 741/23.
Sh. Nitin Goel and Sh. Mayank Goel, Ld counsel for the appellant in appeal nos. 825/23, 826/23, 827/23, 834/23, 835/23, 836/23, 33/24, 34/24, 35/24 & 52/24, 843/25 and 844/25.
Sh. Navjot Singh, Ld. counsel for the appellant joined through VC in appeals no. 309/24, 310/24 and 311/24.
Sh. Ritwik Chawla son of the appellant in appeal no. 202/23.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal nos. 739/23, 741/23, 825/23, 826/23, 827/23, 834/23, 835/23, 836/23, 33/24, 34/24, 35/24, 52/24, 309/24, 310/24 & 311/24.
Ms. Praveen Sharma, Ld. counsel for respondent in appeal no. 740/23 & 738/23 joined through VC.

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Sh. Anubhav Gupta, Ld counsel for Respondent joined through VC in appeal no. 202/23, 843/25 and 844/25.

Arguments heard in all the connected appeals listed today pertaining to the Pink Apartment, Sector-13, Rohini, Delhi.

Record shows that vide a common show cause notice dated 14.07.2020, the respondent booked as many as 74 flats of this society stating 'unauthorized construction in the shape of deviations/excess coverage against the standard building plan in various flats in Pink Apartment. (List Enclosed)' and in pursuant thereto passed a common demolition order dated 24.07.2020 for all these flats on the same common booking.

The respondent is supposed to issue separate show cause notice to each and every flat specifying the details of the deviations/excess coverage in that particular flat and cannot pass a common order for 74 flats without specifying the details of the alleged deviations/excess coverage.

Not only that the show cause notice lacks necessary details, but is also a common show cause notice, which is not sustainable.

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In these facts, the show cause notice is quashed and the demolition order is set aside with liberty to respondent to issue fresh show cause notice, if any required, to each and every flat separately and to pass separate demolition order as per law.

With the above observations, the aforesaid appeals are allowed.

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
16.07.2026

A.No. 98/24

16.07.2026

Present : Sh. Raj Kumar, Ld. Proxy counsel for Sh. Kunal Madan,
Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. R.K, Mittal, Id. counsel for the intervener.

An adjournment is sought on behalf of the appellant as main counsel Sh. Kunal Madan has met with an accident and suffered injury on his hand.

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 **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
16.07.2026

A.No. 183/24 & 184/24
Prabhjot Kaur Vs. MCD

16.07.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent.

Arguments heard. Record perused.

The appellant has filed these two appeals and challenged the revocation order dated 04.12.2023 in appeal no. 183/24 vide which the sanctioned building plan obtained under Saral Scheme dated 05.05.2022 was revoked and has also challenged the demolition order dated 05.02.2024 in appeal no. 184/24 vide which the unauthorized construction of the entire property was booked on the ground that the sanctioned building plan dated 05.05.2022 (wrongly mentioned as 05.05.2021 in the demolition order) has been revoked.

The respondent vide show cause notice under Section 338 of DMC Act dated 06.11.2023 sought response of the appellant as to why the sanctioned building plan dated 05.05.2022 should not be revoked being obtained on a fabricated sale deed dated 18.02.1959. The appellant replied this show cause notice which was received in the office of the respondent on 16.11.2023 and thereafter the impugned revocation order dated 04.12.2023 was passed mentioning that no reply to the show cause notice has been received.

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As per the status report filed by the respondent dated 23.04.2024, the reply was received by the Building Department on 29.11.2023, but the file was already forwarded to the competent authority on 21.11.2023 and as such, the reply was not considered.

The impugned revocation order is dated 04.12.2023 and the Building Department received the reply prior to that on 29.11.2023 and should have brought the same to the knowledge of the competent authority, who had not passed the orders by then.

Otherwise also, the appellant submitted her reply well in time on 16.11.2023 and if it reached the Building Department on 29.11.2023, the same is an internal process of MCD and not in control of the appellant. The appellant cannot be made to suffer because of internal process of the MCD nor the principles of the natural justice can be violated.

Not only that the reply was not considered, no opportunity of being heard was provided to the appellant. The demolition order is a consequence of revocation order though it states that there are projections on municipal land. But since the revocation order is liable to be set aside for not considering the reply of the appellant and for violation of principles of natural justice, the demolition

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order is also liable to be set aside. In these facts, both the appeals are allowed and the impugned revocation order dated 04.12.2023 and the demolition order dated 05.02.2024 passed in respect of property no. 1/9157, Gali no. 4, West Rohtash Nagar, Shahdara, Delhi-110092 are set aside with directions to the respondents to pass a speaking order after considering the reply dated 16.11.2023 and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 04.08.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

With the above observations, 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
16.07.2026

A.No. 209/24

16.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC.
Intervener in person.

It is stated by intervener that he has already filed the copy of the sale deed of second floor vide list of document dated 12.02.2026 at running page 60 of that list.

I have seen that list of document and the sale deed of the second floor claimed to be the third floor by the MCD belonging to the intervener is already on record.

Intervener seeks some time to file the written arguments as well as case law. Let the same be done within 10 days with advance copy to the counsel for the appellant.

Put up for further arguments on **29.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 785/24 & 786/24
Vimal Kumar and Ors. Vs. MCD

16.07.2026

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

The appellants have filed affidavits in compliance to the order dated 26.09.2024 and have stated that they were not a party before the Hon'ble High Court in W.P.(C) no. 11284/2022 and had not received the show cause notice and the impugned order. Copy supplied.

Arguments heard.

The appellants have challenged the demolition order dated 08.01.2024 in appeal no. 786/24 and the sealing order dated 08.02.2024 in appeal no. 785/24. Both these orders have been challenged on the ground of non-service of show cause notices and the impugned orders.

I have perused the office record.

The Show cause notice under Section 344 read with 343 DMC Act dated 29.12.2023 was issued in the name of the owner/occupier and is reported to be served through pasting on 02.01.2024. However, there are no photographs of pasting nor any witnesses.

The Commissioner, MCD in its circular itself has given certain directions for service through pasting vide circular dated 15.04.2010 Which is as under :-

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“It is observed that the service of show cause notice upon owner is found unsatisfactory and unreliable and, as such, most of the appeals, filed against the demolition orders, are allowed by the courts for lack of service of show cause notice upon owner. It has, therefore, been decided that pasting of notice should be supported by photographic evidence. The JE concerned will ensure the photographic evidence of pasting of notice and such evidence will form part of U/C and sealing files. EE(B) of respective zone shall ensure the uploading of information regarding unauthorized construction on MCD website soon after the passing of the necessary orders for demolition”.

Even another circular bearing No.LAW/SOUTHDMC/ 2016/1227 Dt. 06.12.2016 was by the Chief Law Officer, SDMC which is reproduce as below:-

‘It has been observed that the Executive Engineers of SDMC are passing demolition order/sealing order without verifying the service of show cause notice. The Appellate Tribunal has also observed that this is very careless attitude or some deliberate act to give benefit to the property owner as they knew very well that case will not stand to the scrutiny of the Court on this ground alone. Therefore, the Quasi Judicial Authority should ensure that service has been done properly before passing any order under DMC Act.

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Further the service, as far as possible should be done by way of speed post and a copy of internet delivery report with postal receipt should be kept on record and where service is not possible and pasting is to be done, photograph of pasting be taken and signatures of witness be obtained with their name and address.

In number of cases, the service of show cause notice of demolition or sealing is done by way of pasting or speed post, but necessary proof with regard to its service by pasting and signatures of two witnesses is not taken by the department. In case of service by speed post, the tracking report showing the service of the same upon the owner/builder is not placed in the u/c file, with the result the stay order are passed and finally appeals are allowed.

All concerned are hereby requested to kindly take note of the aforesaid orders and to ensure the compliance of such orders.”

Similarly, the sealing show cause notice under Section 345-A DMC Act dated 29.01.2024 was sent through speed post in the name of owner/builder. There are as many as 27 appellants and a single notice sent through speed post cannot be said to be a sufficient service on all the appellants more so when there is no track consignment report.

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In these facts, the demolition order dated 08.01.2024 and sealing order dated 08.02.2024 passed in respect of property no F-2/193-194, Gali no. 5, Mahavir Enclave, new Delhi are 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 03.08.2026 at 2.00 pm before the AE(B) concerned as well as at 3.00 pm before the DC concerned and the speaking order be passed within 6 weeks of conclusion of the hearing.

With the above observations, the appeals are allowed.

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
16.07.2026

A.No. 1035/24

16.07.2026

Present : Ms. Ananya Singh, Ld. counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as senior arguing counsel Sh. Manish Vashist is held up before Hon'ble Supreme Court of India.

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 **18.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 61/25 & 407/25

16.07.2026

Present :

Sh. Harsh Vikram Trivedi, Ld. proxy counsel for Sh. Vikas Sood, counsel for the appellant joined through VC.

Sh. Kunal Mittal, Ld. counsel for the appellant. Fresh Vakalatnama filed, same is taken on record

Ms. Bhavya, Ld counsel for the respondent in appeal no. 61/25.

Ms. Vasu Singh, Id. counsel for the respondent in appeal no. 407/25 joined through VC.

Ld. Proxy counsel for the appellant seeks discharge of Sh. Vikas Sood from his vakalatnama as he has now been empanelled on the MCD panel.

In these facts, Sh. Vikas Sood is discharged.

An adjournment is sought by the Id. counsel for the respondent in appeal no. 61/25 on the ground that she is not well today.

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.

Arguments heard and concluded in appeal no. 407/25.

At request, put up for arguments in another appeal no. 61/25 on **03.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 133/26

16.07.2026

Present : None for the appellant.
 Ms. Vasu Singh, Ld counsel for the respondent joined
 through VC.
 None for the intervener.

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**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 537/26

16.07.2026

Present : Sh. Aquib Ali, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

The record has been produced. Same relates to the previous demolition order dated 03.11.25 which was set aside by this Tribunal. Thereafter, the respondent has passed a fresh demolition order on 01.06.2026 and the record of those proceedings after remand has not been produced.

Ld. counsel for the MCD seeks time to file the same as the concerned AE(B) is on leave.

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

Part arguments heard on interim application.

At request, put up for further arguments on **29.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
16.07.2026

A.No. 785/22

16.07.2026

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

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
16.07.2026