

A.No. 616/26
Deepti Pahuja Arora Vs. MCD

21.07.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Vinesh Khanna, 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 **23.07.2026**.
Till next date of hearing, no coercive action be taken against the property of appellant i.e. property no. 202, Second Floor, Rose Apartment, Sector-18, Dwarka, New Delhi, in pursuance of the demolition order dated 27.04.2026. 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
21.07.2026

A.No. 620/26
Subhash Vs. MCD

21.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Manish Kumar Yadav, 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 **17.09.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant bearing house no. 21, Harijan Basti, Village Dabri, New Delhi in pursuance of the demolition order dated 06.07.2026 passed in respect of house no. 23, Part-C, Harijan Basti, Village Dabri, 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. 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
21.07.2026

A.No. 621/26

21.07.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Suman Kapoor, Sh. Anand Shailani and Sh. Surendra Mohan, Ld counsels for the appellant.

Submissions heard. File perused.

Heard. File perused.

The aforesaid appeal is against the vacation notice, which is not appealable and maintainable before this Tribunal.

Issue notice to the respondent/MCD only to the limited aspect of filing the demolition order and sealing order, if any passed against the property no. 511, near Radha Krishan Mandir, Village Bijwasan, Delhi-61, for **28.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 622/26

21.07.2026

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 **04.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 623/26

21.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Saurabh Sharma, Ld counsel for the appellant along with appellants.

Submissions heard. File perused.

This appeal has been filed against the demolition order and against the rejection of the regularization application, which is not maintainable against both the reliefs and separate appeal for each relief is required to be filed.

At this stage, Ld. counsel for the appellants submits that the appellants do not press this appeal for rejection of the regularization application and this appeal may be treated only against the demolition order and he be given liberty to file separate appeal against the rejection of the regularization application as per law.

Statement of appellants in this regard is recorded separately.

In view of the statement made by the appellants, now this appeal is treated only against the demolition order. Appellant is at liberty to file appeal against the rejection of the regularization application as per law.

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.

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

Put up for arguments on interim application(s) and appeal on **03.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 624/26

Bhupender Pal Sharma Vs. MCD

21.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Honey Sablok and Sh. Rishabh Yadav, Ld counsel
for the appellant.

Submissions heard. File perused.

The aforesaid appeal is against the show cause notice, which is not appealable before this Tribunal. No order appealable under DMC Act has yet been passed in this case. The appeal is pre-mature and is hereby dismissed with liberty to challenge the demolition/ sealing order as per law.

Appeal stands 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
21.07.2026

A.No. 487/24

21.07.2026

Present : Sh. Deepak Vuttsya, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC.

Arguments heard on the early hearing application.

In view of the reason given, the application is allowed and
the matter is pre-poned for arguments on **31.07.2026**.

Date of 02.09.2026 stands canceled.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 1070/24

21.07.2026

Present : Sh. Gaurav Singhal, Ld counsel for the appellant.
Sh. Parmeshwar Dayal, Licensing Inspector, MCD,
Shahdara Zone.

It is stated by the Licensing Inspector that the record of this property is not available. He is supplied the photocopy of the sealing show cause notice dated 24.07.2019 annexed with this appeal. The same shows that it is issued in the name of Subhash Jain whereas the appeal has been filed in the name of Sanjay Jain.

Let the record pertaining to this show cause notice be produced on the next date of hearing.

Put up for awaiting the record and arguments on
21.09.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 536/26

21.07.2026

Present : Sh. Waiz Islam and Sh. Arham, Ld counsels for the appellant.

File is taken up today on an urgent application for desealing of the property, filed on behalf of the appellant. Let notice of this application be issued to the respondent for **28.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 602/26
Surendra Sharma Vs. MCD

21.07.2026

Present : Sh. Satish Tamta, Senior Advocate along with Ms. Nisha Narayannan (through VC) and Sh. Shariq Iqbal, Ld counsel for the appellant..
Sh. Ashutosh Gupta, Ld counsel for the respondent/MCD.
Sh. Shreshta Jain and Ms. Suksham Kwatra, Ld. counsels for the respondents no. 3 to 10 and 12 and 13.
None for the respondent no. 11.

Reply to the appeal filed by the private respondents.

Copy supplied. Record produced by the MCD.

Arguments heard at length.

1. The appellant who is the owner of flat no. 4 at ground floor above stilt floor in Sudharshan Apartments, Patparganj, I.P. Extension, New Delhi-110096 has challenged the NOC dated 03.06.2026 for installation a common lift and connecting bridges in flats no. 01 to 16 in this society.
2. The appellant has challenged this NOC on the ground that the MCD without physical site inspection has granted the NOC in mechanical manner. The proposed structure will obstruct natural light and ventilation available to the appellant and thus will violate clause 14 of this NOC. The proposed lift shaft is barely 18 inches from the entrance door of the

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appellant's flat and will result in complete darkness. It may cause structural damage and loss of privacy and therefore this NOC should be revoked.

3. It was argued for the appellant that the lift site is in the middle of the shaft and on the landing area of the building and will affect the easementary rights of the appellant. The MCD did not bother to inspect and see if any other alternate site best suited for erection of lift is available or not. There are couples of lift already installed in other blocks of this society at suitable place and the site of the present lift will obstruct the sunlight and air to the appellant's flat.
4. Ld counsel for the respondent/MCD on the other hand argued that shaft is meant for providing essential services. It is the best suitable site for installation of lift without causing any damage to the building nor any easementary right of the appellant shall be affected. It may cause some inconvenience to the appellant but same cannot be a ground to deny the essential service of lift to the private respondents and therefore the NOC was rightly granted as per the lift policy and the appeal should be dismissed.
5. Ld counsel for the private respondents on the other hand argued that the appellant has two adjoining flats bearing flat no. 3 & 4 at the ground floor which have

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huge balcony which are sufficient to provide sunlight and air to the appellant's flat. The width of stair case which is 3 feet 9 inches shall remain same even after construction of lift and no easementary right shall be affected. The shaft is not meant for providing sunlight as claimed by the appellant. The appellant shall also have the access to lift and will be benefited with this lift and therefore the appeal should be dismissed.

6. I have perused the record. The private respondents have been granted NOC for construction of lift in the shaft area. The appellant has claimed that sunlight and air to his flat shall be affected. I have seen the photographs and site map and I do not find any merit in this argument. The blind wall of the lift shall be at a distance of about 6 feet from the entrance gate to flat no. 4. The same is sufficient gap between the lift and the flat of the appellant and cannot cause hindrance to the appellant to access his flat. Further, the appellant has a very big balcony on the other side of his flat apart from two balconies in the two bedrooms.
7. In no manner, the installation of the lift at the proposed site shall cause any obstacle to the appellant in enjoying his flat. There is no other alternate site pointed out by the appellant for installation of the lift. It is also relevant to note that

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there are 16 flats in this block and 4 flats are at ground floor. Out of 12 flats on the upper floor, 10 are the private respondents and it show that the majority of the flat owners have given consent for installation of lift at the proposed site. The consent of the appellant is otherwise immaterial being a ground floor resident.

8. The appellant has also filed a report in respect of the survey of this society by IIT, Delhi dated 07.12.2021. This survey was conducted at the instance of the appellant when he was the secretary of this society and after this survey two lifts have already been installed and functional in this society. I do not find any merit in the argument of the appellant that no lift can be installed in the society in view of this survey report.
9. It is now settled law that lift is an essential amenity and not a luxury. The ground floor flat owner may face some inconvenience but that cannot be a reason to deny the residents of the upper floors to have the benefit of lift which is essential for them not only for movement but also for availing medical facilities in old age. Reliance in this regard can be placed on the judgment of Hon'ble Division Bench of our own Hon'ble High Court passed in the case titled as

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'Shaik Abdul Hameed Vs. Delhi Development Authority & Ors., 2013, SCC OnLine Del 4354.'

In view of the above observations, the appeal has no merit and is hereby dismissed.

10. 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
21.07.2026

A.No. 483/24

21.07.2026

Present : Sh. Vishal Khuswaha, son of the appellant in person.
Sh. Varun Sharma, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as maternal grand mother of the counsel Sh. Rakesh Tanwar has expired.

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 **29.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 194/17
Brig. Baljeet Singh (Retd.) Vs. MCD

21.07.2026

Present : None for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
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/21.07.26

At 2.30 pm
Present :

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

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 the
previous date as well. Even the previous cost has also
not been deposited.

It is already 2.30 PM. It appears that the appellant is not
interested in pursuing the appeal. The present appeal is
dismissed in default as well as non-prosecution.

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
21.07.2026

A.No. 299/17

21.07.2026

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

Arguments heard at length.

Put up for order on **24.07.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 748/17 & 768/17

21.07.2026

Present : Sh. Chanderpal Singh, Ld counsel for the appellant along with one of the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Arguments heard on the applications seeking condonation of delay of about 70 days in appeal no. 748/17 and of about 8 months in appeal no. 768/17 in filing the aforesaid appeals. Though, no documents have been filed to support the plea, yet with an endeavour to decide the appeals on merits, the delay is condoned subject to deposit a cost of Rs. 2,500/- in each appeal with the Registry.

The applications stand disposed of.

Part arguments heard on the appeals.

Respondent is directed to produce the entire property-tax record of the property no. 1914/43, Nai Wala, Karol Bagh, New Delhi on the next date of hearing.

Put up for further 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
21.07.2026

A.No. 463/19 & 464/19
Sangeeta Sharma

21.07.2026

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

Ld. counsel for the appellant submits that he has instructions from the appellant to withdraw the aforesaid appeals as the appellant wants to file regularization application and he may be permitted to withdraw the aforesaid appeals with the such liberty.

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 appeals are disposed off** as withdrawn with liberty to the appellant as prayed, as per prevailing law.

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
21.07.2026

A.No. 740/22

K.K. S. Business Ser Ltd. & Anr. Vs. MCD

21.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent
joined through VC along with Sh. Aman Sharma, Adv.

Status report is filed by the MCD, copy supplied.

Arguments heard.

1. This is an appeal challenging the demolition order dated 14.11.2022 passed in respect of unauthorized construction against sanctioned building plan in the shape of 26 shops at first floor, 25 shops at second floor and excess coverage at third floor in property no. 1/21, Asaf Ali Road, Delhi. The appellant has challenged this order primarily on the ground that the construction is old and prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. Certain repairs were carried out in the property as permissible under clause 2.14 of building bye-laws and the respondent without appreciating the facts and documents filed by the appellant passed the impugned order.
2. The respondent was directed to produce the property tax record of the property which was produced in

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original. The said property tax record shows that as on 01.04.1999, there were 26 shops at the first floor and 25 shops at the second floor. The copy of the inspection report dated 01.04.1999 by Assistant Assessor & Collector also show similar construction in the property at first and second floor. This inspection report also show a covered area in the shape of one hall at the third floor measuring 40x60 feet. The respondent was directed to file status report regarding the covered area at the third floor as on today. The status report filed today show that the covered area of third floor is about 222 sq. mtr. which is same as was on 01.04.1999.

3. Though Ld counsel for the respondent/MCD argued that fresh construction was raised by the appellant after demolishing the old structure, there is no material in the office record to reflect the same. The construction existing in the property from first to third floor is same as was on 01.04.1999. The appellant might have carried out certain repairs as permissible but there is no unauthorized construction. The appellant however has failed to produce sanctioned building plan.

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4. In these facts the construction being prior to 08.02.2007 is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
5. The impugned demolition order is upheld but is kept in abeyance in respect of property of the appellant till this Act is in force. The respondent is at liberty to take action once the Act ceases to be in force. Appeal stands disposed of.
6. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 326/23

21.07.2026

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

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

Ld. counsel for the respondent seeks copy of the amended appeal.

Appellant is directed to supply the same within a week.

At request, put up for arguments on **09.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 419/23

21.07.2026

Present : None for the appellant.
 Sh. Ashutosh Gupta, Ld counsel for the respondent.
 Sh. R.K. Singh, Ld. counsel for the DDA.

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 **05.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 464/24

21.07.2026

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.
Sh. Chetan Hasija, Ld counsel for the respondent joined through VC along with one proxy counsel present in the court. Fresh Vakalatnama filed, same is taken on record.

An adjournment is sought by the counsel for the respondent on the ground that he has been freshly engaged in place of Sh. Ajay Gaur and he needs some time to go through the record.

At request, put up for arguments on **05.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 479/24, 622/24 & 623/24

21.07.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellants.
Ms. Rani Prajapati, Ld. Proxy counsel Sh. Syad Adil Hussain , Ld counsel for the respondent.
Sh. Arshi Arora, Id. counsel for the intervener in appeal no. 622/24.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard in appeal no. 622/24. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

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An adjournment is sought on behalf of the respondent/MCD as main counsel Sh. S. Adil Hussain has been suffering from viral fever and is not in a position to come to the court today.

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

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
21.07.2026

A.No. 684/24

21.07.2026

Present : Sh. V.K. Mantoo, Ld. counsel for the appellant joined through VC along with appellant in person.
Sh. Atul Tanwar and Ms. Anshika, Ld counsels for the respondent.
Sh. Rakesh Walia, Ld counsel for the intervener joined through VC.

Status report is filed by the MCD, copy supplied.

An application has been filed under Order 22 rule 3 CPC to implead the LRs of the proposed intervener. The proposed intervener was never a party to this appeal and therefore, this application is not maintainable and is hereby dismissed.

An adjournment is sought on behalf of the appellant as counsel Sh. V.K Mantoo is held up before Hon'ble High Court.

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 **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
21.07.2026

A.No. 873/24 & 908/24

21.07.2026

Present : Sh. Vinod Chauhan, Sh. Lokesh Kumar and Ms. Khushi Sagar, Ld. Counsels for the appellant along with appellant.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal no. 873/24.
Sh. Avishek Kumar, Ld. counsel for the respondent in appeal no. 908/24. Fresh Vakalatnama filed, same is taken on record

Part arguments heard.

Ld. counsel for the appellant seeks one opportunity to address arguments on the aspect of ownership and on the aspect of sub-division of plot.

At request, put up for further arguments on **15.09.2026**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 909/24, 910/24, 911/24 & 912/24

21.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Apoorv Sisodia, Ld. counsel for respondent in appeal
Nos.910/24 & 911/24 joined through VC.
Ms. Jasleen Kaur, Ld. counsel for respondent in appeal
Nos.909/24 & 912/24 joined through VC.

Ld. counsel for the appellant seeks time to file the vakalatnama. Let the same be filed.

It is further stated that there is no sealing order in the record annexed with the appeals.

I have gone through the record.

Let the MCD to file the status report under the signature of the Dy. Commissioner as to how and under whose orders, the property bearing no. WZ-10 (new number A-10), Rishi Nagar, Rani Bagh, Delhi was sealed, on the next date of hearing.

Put up for awaiting status report and arguments on
09.09.2026.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 1048/24, 1049/24 & 1098/24

21.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant. Fresh Vakalatnama filed, same is taken on record
Sh. Atul Tanwar and Ms. Anshika, Ld counsels for the respondent in appeals no. 1048/24 & 1049/24.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 1098/24.
Sh. Atul Verma and Sh. Hansraj Yadav, Ld. counsels for the applicant/intervener Sh. Lalit Kumar in appeal no. 1048/24 and 1049/24.

Ld. counsel for the appellants seeks adjournment on the ground that he has been recently engaged and he needs some time to go through the record.

Proposed intervener has filed an application for giving an opportunity of hearing along with an order of Hon'ble High Court dated 04.05.2026 vide which this Tribunal has been directed to decide the appeals within a period of 6 months from 04.05.2026.

This order was not received from the Hon'ble High Court nor was brought to notice of this Tribunal by the Intervener who has also earlier filed an application under order I rule 10 on 07.01.2026. More than two and half months have been passed out of 6 months prescribed by Hon'ble High Court for deciding these appeals.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that

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all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

At request, put up for arguments on the appeal on **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
21.07.2026

A.No. 48/25

21.07.2026

Present :

Sh. Amandeep Singh, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.
Sh. Rishabh Jain, Id counsel for the four interveners.

The interveners filed one application under Order I rule 10 CPC for impleadment on 24.03.2026 and thereafter filed another application on the same provisions yesterday. It is stated that new counsel has now been engaged, who has filed the subsequent application and the previous application may be dismissed as withdrawn.

In view of the same, the application under Order I Rule 10 CPC filed on 24.03.2026 is dismissed as withdrawn.

Copy of the application filed yesterday supplied today to the Id counsel for the appellant in the court and copy of the MCD is placed on record, which can be collected.

Ld. counsel for the appellant seeks time to file the reply to this application. Let the same be filed with advance copy to the Id. counsel for the applicant/interveners.

Put up for reply and arguments on this application as well as appeal on **29.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 87/25 & 239/25

21.07.2026

Present : Ms. Rama Sharma, Ld. proxy counsel for the appellant.
Sh. Atul Tanwar and Ms. Anshika, Ld counsels for the respondent in appeal no. 87/25.
Sh. Avishek Kumar, Ld counsel for the respondent in appeal no. 239/25.
Ms. Seema Gupta, Id. counsel for the intervener.

Reply to the application under Order I rule 10 CPC filed on behalf of the appellant. Copy supplied.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10

....contd.2

: 2 :

CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

An adjournment is sought on behalf of the appellant as main counsel has gone to Tripura for admission of her child.

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 **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
21.07.2026

A.No. 169/25

21.07.2026

Present : Ms. Parul Aggarwal, Ld. counsel for the appellant along with appellant no. 1.
Sh. Anshul Vedi, Ld counsel for the respondent.

Ld. counsel for the appellant submits that the appellants want to withdraw the aforesaid appeal, but one of the appellant i.e. appellant no. 2 is out of station.

At request, put up for further proceedings on **06.11.2026** with connected appeals.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 674/25 & 656/25

21.07.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal no. 674/25.
Sh. Avishek Kumar, Ld. counsel for the respondent in
appeal no. 656/25.

Arguments heard on the applications seeking condonation of delay in filing the aforesaid appeals. As per the appellant, the appellant was never served with the impugned orders. Admittedly, the property was sealed on 31.07.2025 and the appeal was filed on 08.10.2025. Though there is no application seeking condonation of delay in appeal no. 674/25, but considering the averments made in the appeal no. 656/25, the delay is condoned subject to deposit a cost of Rs. 5,000/- in each appeal with the Registry.

The applications stand disposed of.

At request, put up for arguments on appeal on **06.11.2026.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

Present : Fresh Vakalatnama filed, same is taken on record

A.No. 664/25, 665/24, 666/25 & 708/25

21.07.2026

Present : Sh. Manu Sisodia, Ld counsel for the appellant in appeal nos. 664/25, 665/25 & 666/25.
Sh. Parinav Gupta, Ld. counsel for the appellant in appeal no. 708/25.
Sh. Ashutosh Gupta, counsel the respondent 664/25 & 666/25 & 708/25.
None for the MCD in appeal no. 665/25.

An adjournment is sought on behalf of the appellant in appeals no. 664/25, 665/25 & 666/25 as the certified copy applied, has not yet been received by the counsel for the appellant.

In appeal no 708/25, the reply to the status report dated 25.02.2026 filed by the appellant. Copy supplied.

At request, put up for arguments on **06.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 711/25, 712/25, 312/26 & 313/26

21.07.2026

Present : Sh. Manoj Kumar, Ld counsel for the appellant.
Sh. Subham Bajaj, Ld counsel for the respondent in
appeal no. 711/25 & 712/25.
Sh. Ashutosh Gupta, Id. counsel for the respondent in
appeal no. 312/26 & 313/26

Ld counsel for the appellant seek some more time to
argue the matter as he is not ready with arguments today.

At request, put up for arguments on **16.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 335/26

21.07.2026

Present : Sh. Mohit Chaudhary, Ld counsel for the appellant joined through VC.
Sh. Ankit Singh, Ld Proxy counsel for Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Abhishek Grover, Ld counsel for the intervener.

An application filed by the appellant seeking waiver of cost dated 09.06.2026. Copy supplied.

As per this application the counsel could not appear on the last date as his flight got delayed.

In view of the same the cost is reduced to Rs. 5000/-. Let the same be deposited.

Application stand disposed of.

One more application has been filed to place on record additional documents by the appellant. Copy supplied. Without prejudice to the rights of the respondent to challenge these documents, the same are taken on record.

Arguments on maintainability of the application under order 1 Rule 10 CPC heard. Even if it is presumed that all the averments made in the application is correct, then also in this proceeding between the appellant and the MCD the applicant has no right to participate and he cannot become a party as there is a clear-cut judgment of

Contd...2/-

: 2 :

Delhi High Court in case ***Hardayal Singh Mehta Vs MCD, AIR 1990 Delhi 170*** in which it is held that in the matter between the appellant and the MCD, no third person can join and become a party to such proceedings and in such proceedings the application under order 1 Rule 10 CPC is not maintainable. Any dispute between the applicant and the appellant has to be dealt with and to be decided by the Civil Court separately. Accordingly, application moved by applicant under order 1 Rule 10 CPC is hereby dismissed. However, the applicant is permitted to file the documents, if any and to orally argue the matter at the final arguments stage.

Ld counsel for the respondent/MCD has left for Hon'ble High Court.

Put up for arguments on appeal on **24.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
21.07.2026

A.No. 265/18

21.07.2026

Present : None for the appellant.
 None 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
21.07.2026