

A.No. 617/26

Raj Rani Kakkar and Anr. vs. MCD

23.07.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Ravi Prabha along with Sh. Hemant Sharma, 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 **06.11.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. property bearing no. H-60C, H Block, DDA Flats, Saket, New Delhi, in pursuance of the demolition order dated 04.06.2026. 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 630/26
Madan Mohan vs. MCD

23.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Ajay Sharma, Ld counsel for the appellant.

Submissions heard. File perused.

The aforesaid appeal is against the vacation notice dated 24.06.2026, which is not appealable before this Tribunal.

The appeal is 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
23.07.2026

A.No. 633/26

23.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Hrithik Manchanda, Ld counsel for the appellant
joined through VC along with MS. Shalu Sharma, Adv.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **31.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 635/26

23.07.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shiv Charan Garg, Ld counsel for the appellant joined through VC along with appellants in person.

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
23.07.2026

A.No. 220/24 & 236/24

23.07.2026

Present : Ms. Sidhi Sharma, Ld counsel for the appellant.

Files are taken up today on the applications of early hearing filed on behalf of the appellant.

Let notice of the applications be issued to the respondent for **29.07.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 140/26

23.07.2026

Present : Sh. Vipin Kumar, Ld counsel for the appellant joined through VC along with Sh. Balram, Adv.
Sh. Sandeep Kumar, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The record has already been produced.

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

At request, put up for arguments on **17.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 223/26 & 224/26

23.07.2026

Present : Sh. Mayank Sarin, Ld. Proxy counsel for Sh. Narender Bhandari, counsel for the appellant.
Sh. Akhil Mittal, Ld counsel for the respondent joined through VC along with Ms. Shayna Das Pathnayak and Sh. Vineet Kumar Mishra, Advocates along with Sh. Faiz Ahmad, AE(B) and Sh. S.C. Mishra, ALO

Status report is filed by the MCD, copy supplied.

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

Ld. counsel for the respondent has submitted that the earlier two appeals filed by the appellant against rejection of sanctioned building plan were remanded back by this Tribunal on 01.07.2026 and that matter is still pending for hearing for today itself and these appeals are not maintainable since the Quasi Judicial Authority is yet to take a decision on those applications after the matter was remanded back.

The appellant in the present case has challenged the refusal of the sanction for addition/alternation of the plan dated 18.02.2026 for which a sanctioned building plan must exist as the additions and alterations can be sought only in the existing sanctioned building plan.

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The appellant is directed to explain as to how these appeals are maintainable, on the next date of hearing.

Put up for arguments on the maintainability of the appeals on **13.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 266/26

23.07.2026

Present : Sh. Abhishek Grover, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent. Memo
of appearance filed.

Status report is filed by the MCD, copy supplied.

The record has already been submitted. It can be
inspected by the counsel for the appellant.

At request, put up for arguments with the connected
appeal bearing no. 335/26 on **24.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 616/26

Deepti Ahuja Arora Vs. MCD

23.07.2026

Present : Sh. Dinesh Khanna and Sh Swetraj, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

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

Arguments heard at length.

1. The appellant has challenged the impugned demolition order dated 27.04.2026 passed in respect of deviations/excess coverage against the Standard Building Plan of DDA in flat no. 202, Rose Apartments, Sector-18-B, Dwarka, New Delhi. The appellant has challenged this order on the ground that her reply to show cause notice was not considered, the impugned demolition order simply states that the reply dated 30.03.2026 to the show cause notice dated 10.03.2026 was not satisfactory and lastly the details of excess coverage/deviations are not mentioned in the show cause notice and in the demolition order.

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2. Ld counsel for the respondent/MCD on the other hand argued that the appellant in her reply to the show cause notice stated that she is ready to regularize the compoundable construction, yet did not apply for regularization. This admission on the part of the appellant that there exists unauthorized construction in the property is sufficient to dismiss this appeal as the appellant herself mentioned about deviations in this property.
3. I have perused the record. The show cause notice dated 10.03.2026 was delivered to the appellant through speed post on 14.03.2026 and was replied by her on 30.03.2026. The impugned demolition order records that the reply has been received but is not satisfactory. The impugned demolition order is non-speaking order as it does not mention that why the reply is not satisfactory. The same does not disclose the grounds or the reasons on which the reply was found unsatisfactory. The respondent being a Quasi Judicial Authority is required to pass speaking order to make the affected person aware about the reasons of the impugned order. The Hon'ble Delhi High Court in the case of **Jaspal Singh Jolly Vs MCD 125**

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(2005) DLT 592 held that the impugned order saying reply was unsatisfactory is bad in law and is liable to be quashed.

4. Further, the show cause notice as well as the demolition order are silent in respect of the alleged deviations and excess coverage and further it is mentioned that the same is old and occupied. The Hon'ble Supreme Court of India Hon'ble Supreme Court of India IN RE... directions in the matter of demolition of structures (2025) 5 Supreme Court Cases 1 has specifically directed the Municipal Authority to specify the exact deviations and excess coverage while booking the property and the same were not complied by the respondent in the present case.
5. The photographs available in the office record were not taken by the MCD and were submitted by one complainant who is resident of flat no. 205. The respondent itself did not bother to inspect the property and obtain the photographs of the alleged ongoing construction.
6. In view of the above discussion, the impugned demolition order is set-aside. The appeal is allowed.

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7. 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
23.07.2026

A.No. 343/13 & 385/13

23.07.2026

Present : Sh. Shivam Rathore, Ld. proxy counsel for the appellant joined through VC.
Sh. Dharmvir Gupta, Ld counsel for the respondent in appeal no. 343/13.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 385/13.
Ms. Urvi Mohan, Ld. counsel for the intervener joined through VC along with Ms. Mahika Bisht, Adv.

Part arguments heard.

At request, put up for further 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
23.07.2026

A.No. 53/18

23.07.2026

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

None has been appearing in the matter for the respondent/MCD since last two dates and a notice was issued to the MCD for today to ensure the presence of the counsel and despite service of the notice, none is present.

The appeal pertains to the year 2018 and the matter is getting delayed because of non-appearance of the counsel for the MCD.

Let CLO concerned is directed to be present in the court with explanation on **12.08.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

At this stage, Sh. Akash Chatterjee, Id. counsel for respondent appeared through VC and he is apprised about the today's order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 74/19

23.07.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.
Sh. Subhash Chand along with Sh. Rakesh, Ld. counsels
for the intervener.
Ms. Sakshi Shedha, ATP from the Town Planning
Department.

An adjournment is sought by the counsel for the
respondent as he is not feeling well 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 **10.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 500/19

23.07.2026

Present : Sh. Narender Mohan Rajesh, Ld. proxy counsel for the appellant along with appellant.
Sh. Ashutosh Gupta, Id. counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Gurjeet Singh is not available today due to ill-health.

The appeal pertains to the year 2019. However, in the interest of justice one more opportunity is granted to the appellant to address the arguments in the matter.

At request, Put up for arguments on **15.09.2026**.

In case of non-availability of the counsel for the appellant on the date fixed, appellant is directed to file the written arguments with advance copy to the Id counsel for the respondent.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 662/19

23.07.2026

Present : Sh. Anuj Kumar Garg, Ld counsel for the appellant.
Sh. Ranjeet Pandey, Ld counsel for the respondent
joined through VC.

Ld. counsel for the respondent seeks time to comply with the previous order and also seeks exemption of the Dy. Commissioner concerned.

The Dy. Commissioner is exempted from personal appearance through counsel today.

Put up for awaiting the report from the respondent and 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
23.07.2026

A.No 68/22

Raman Rehani & Anr. Vs. MCD

23.07.2026

Present : Sh. Sanjay Dewan, Senior Advocate joined through VC.
along with Sh. Ayush Dawar, Id. counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent joined
through VC.
Sh. Aly Mirza, Ld. counsel for the intervener Sandeep
Kumar along with Intervener in person in appeal
no.67/22.

Arguments heard at length.

1. This is an appeal challenging the demolition order dated 24.01.2017 in respect of deviations/excess coverage against sanctioned building plan dated 05.03.1982 in respect of ground floor of property no. 6/33-A, Jangpura-B, New Delhi-110014. The appellant who is the owner of the ground floor and terrace of the second floor has challenged this order on the ground that his documents relating to ground floor showing the construction prior to 08.02.2007 were not considered and whereas the documents of the owner of the first and second floor in this regard were considered.
2. It was argued that the respondent deliberately protected the first and the second floor under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 but did not give similar

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protection to the ground floor despite sufficient documents and attention has been drawn to the property tax return filed in respect of the ground floor for the year 2006-2007.

3. Ld counsel for the respondent/MCD on the other hand argued that the covered area at the ground floor is 83.54 sq. mtr. and as per property tax return of 1984 is 62.19 sq. mtr and as such the additional covered area at ground floor is not protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and is liable to be demolished.
4. I have perused the record. The appellant has placed on record the property tax record of 2006-2007 for the ground floor which show the covered area at ground floor as 83.61 sq. mtr. This clearly shows that as on 31.03.2007 the covered area was almost the same which is mentioned in the impugned order for ground floor i.e. 83.54 sq. mtr. The respondent did not consider this property tax return for the year 2006-2007 and relied upon old assessment of 1984.
5. The ground floor therefore is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 being prior to 08.02.2007 and therefore the impugned order is kept

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in abeyance till this Act is in force. The respondent shall at liberty to take action once the protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 ceases to exist.

6. In view of the above, the appeal is disposed of.
7. 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
23.07.2026

A.No. 67/22

Raman Rehani & Anr. Vs. MCD

23.07.2026

Present : Sh. Sanjay Dewan, Senior Advocate joined through VC. along with Sh. Ayush Dawar, Id. counsel for the appellant. Sh. Ravi Ranjan, Ld counsel for the respondent joined through VC.
Sh. Aly Mirza, Ld. counsel for the intervener Sandeep Kumar along with Intervener in person in appeal no.67/22.

Arguments heard at length.

1. This is an appeal challenging the demolition order dated 27.08.2021 in respect of unauthorized construction of rooms with tin shade roof at the third floor of property no. 6/33-A, Jangpur-B, New Delhi-110014.
2. The appellant has challenged this order on the ground that his reply dated 28.08.2021 given to the show cause notice dated 09.08.2021 which was received on 19.08.2021 was not considered.
3. Ld counsel for the respondent/MCD and intervener on the other hand argued that the appellant raised this unauthorized construction even as per his own case after 08.02.2007 and admittedly in the year 2012. The regularization application was rejected and therefore the construction being unauthorized and not protected under National Capital Territory of Delhi Laws (Special

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Provision) Second Amendment Act, 2011 is liable to be demolished.

4. I have perused the record. The appellant in his reply to the show cause notice, admitted that the show cause notice was received on 19.08.2021. Yet the reply was given on 31.08.2021 and by that time the respondent had already passed demolition order on 27.08.2021. The reply was belated and there was no reason with the respondent to consider with this reply.
5. Even, if the reply would have been considered, there was no reason to not to pass the demolition order. The appellant in para 7 (iv) himself stated that he built one temporary room (porta cabin) in the year 2012. Therefore this construction raised without permission and after 08.02.2007 is not protested under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
6. Further, the site plan of the existing structure at the third floor filed with the appeal show that there are two rooms and a kitchen at the terrace of the second floor and not one temporary (porta cabin) as claimed by the appellant. This construction being unauthorized construction is not protected and the impugned demolition order is upheld and the appeal is dismissed.

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7. The Id counsel for the appellant has submitted that the appellant be given 4 weeks time for regularization of this construction and till then the operation of impugned demolition order be stayed.
8. Though there are no merits in this submission since the regularization was already rejected on 29.04.2022 and that order has not been challenged yet the operation of the impugned demolition order is stayed for 4 weeks to enable the appellant to seek regularization as per law.
9. The appeal 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
23.07.2026

A.No. 585/22

23.07.2026

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

Part arguments heard at length.

Let the entire property tax record in respect of subject property i.e. property no. 1, Basti Tant Wali, Ram Kumar Marg, Motia Khan, Pahar Ganj, New Delhi, be called from the respondent for next date of hearing.

Put up for awaiting record and arguments on **25.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 47/23

23.07.2026

Present : Sh. S.K. Kalra, Ld counsel for the appellant.
None for the respondent.

An adjournment is sought by the counsel for the appellant as he has been suffering from fever and throat infection. Even none has appeared for the respondent despite repeated calls since morning.

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 **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
23.07.2026

A.No. 383/23

Vikram Singh & Ors. Vs. MCD

23.07.2026

Present : Sh. Sudhir Tewatia, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Samyak Jain, Ld. counsel for the intervener joined through VC.

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 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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Arguments heard.

1. This is an appeal challenging the demolition order dated 29.05.2023 passed in respect of unauthorized construction in the shape of stilt to third floor of property adjoining to Kh. NO. 1794, A-Block, Vasant Kunj Enclave, New Delhi.
2. The appellant has challenged this order primarily on the ground that the show cause notice does not mention the name of the owner/builder, the correct address of the property and was never served upon the appellant.
3. Ld counsel for the respondent/MCD on the other hand argued that notice was duly served through pasting at the site at the correct property. This is unauthorized colony and there are no municipal numbers. The appellants do not have any registered title documents and the respondent was never aware about the exact owner of this property. The unauthorized construction of entire property from stilt to third floor has been raised without sanction and is liable to be demolished.
4. I have perused the record. The office record show that the show cause notice was served by way of affixation at the subject property when the unauthorized construction was under process. It is not the case of the appellants that they were residing in

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the property at that time. The property was properly identified and thereafter the show cause notice was duly affixed on 19.05.2023. Though, it is correct the name of the appellants was not mentioned in the show cause notice but the show cause notice issued in the name of owner/occupier is proper service of notice under Section 343 of the DMC Act. Further, service through pasting is approved mode of service and for which reliance can be placed on the following judgments: -

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

5. In these facts, the show cause notice was duly served at the subject property and more so for the reason that the appellants never informed the MCD that they have become owner of this property by virtue and unregistered GPA dated 26.09.2022.
6. Coming to the merits, the GPA executed in favour of the appellants dated 26.09.2022 show that they purchased a land measuring one bigha, 4 biswa consisting of single dwelling unit from Smt Sunita Manaktala. It shows that as on 26.09.2022 there was

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only one dwelling unit in the property whereas as per photographs filed by the appellants themselves, the property is now from stilt to third floor. This clearly shows that unauthorized construction was raised by appellants after 26.09.2022 in the shape of stilt to third floor.

7. In these facts, the appeal is devoid of merits and is dismissed.
8. 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
23.07.2026

A.No. 388/23

23.07.2026

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

An adjournment is sought by the counsel for the appellant as he has not received the certified copy of the record.

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 **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
23.07.2026

A.No. 440/23 & 441/23

23.07.2026

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

An adjournment is sought by the counsel for the appellant as he has not yet received the certified copy of the record.

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 **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
23.07.2026

A.No. 449/23
Sanchit Sharma Vs. MCD

23.07.2026

Present : Sh. Yogesh Gaur and Sh. Aman Saini, Ld counsels for the appellant.
Sh. Dharmvir Gupta, Ld counsel for the respondent.

Arguments heard. Record perused.

The respondent vide show cause notice dated 29.05.2023 booked the unauthorized construction in the shape of deviations/excess coverage against the standard DDA Flat and fixing a shutter on the front side of the ground floor flat bearing no 380-A, J&K Pocket, Dilshad Garden, Delhi and thereafter passed the impugned demolition order dated 10.07.2023 directing the respondent to demolish the booked unauthorized construction.

The show cause notice and the demolition order are completely silent in respect of alleged unauthorized construction in the shape of deviations and excess coverage nor same were brought to the notice of the appellant during personal hearing and only after the status report was called from the respondent, these deviations were mentioned in the shape of covering of front and rear courtyard and removal of kitchen wall.

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It was also informed to this court that there are as many as 49 flats in this pocket having shutters at the front portion. No material has been brought by the respondent to show that any action has been taken against these 49 shops though it was mentioned that show cause notices have been issued u/s 345-A of the DMC Act to only 14 shops. MCD, thereafter, did not file any report whether any further action was taken against those 14 shops after the notice u/s 345-A of DMC Act.

As noted above, the impugned demolition order is silent in respect of alleged deviations and excess coverage and the appellant was never given any opportunity to reply on the aspect of deviations and excess coverage brought on record through status report subsequently.

Further, the action against the appellant was selective and admittedly no action has been taken against at least 35 shops having similar shutters at the ground floor.

In view of the same, the impugned demolition order dated 10.07.2023 is set aside and **the appeal is allowed.**

MCD is at liberty to take the action against the appellant after disclosing the alleged deviations and excess coverage and is supposed not to be selective in taking actions.

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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
23.07.2026

A.No. 474/23

23.07.2026

Present : Sh. Sanjay Aggarwal, Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent joined through VC.
None for the R-2.

Ld. counsel for the appellant submits that Mohan Garden, Uttam Nagar is in the list of 1510 colonies for which the Government has now taken a decision to regularize and some time may be given to the appellant to apply for regularization of the property.

Let the appellant do so within 8 weeks and subject to outcome of the regularization application, put up for arguments on this appeal.

Put up for further proceedings 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
23.07.2026

A.No. 763/23

23.07.2026

Present :

Sh. Bhagat Singh, Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

The appellant in response to show cause notice gave his reply dated 20.11.2023 received by the respondent on 21.11.2023. Along with this reply, two photographs showing raising of three column on the public land by flat no. 185, Pkt. 23, Sector-24, Unity Apartments, Rohini, Delhi, were filed.

It is not clear whether the respondent took notice of these photographs and whether any action was taken against this unauthorized construction and encroachment shown in these photographs.

Let MCD to file status report in respect of action taken against the unauthorized construction/encroachment shown in the photographs at page 1 of their record submitted in this court, on the next date of hearing.

Put up for awaiting status report and 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
23.07.2026

A.No. 100/24

23.07.2026

Present : Sh. Sudhir Kumar, Ld counsel for the appellant along with appellant.

None for the respondent.

An adjournment is sought by the counsel for the appellant on the ground that he is not feeling well.

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

No adverse order is being passed today.

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 **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
23.07.2026

A.No. 441/24, 473/24 & 600/24

23.07.2026

Present : Sh. K.N. Singh and Sh. Prabhnoor Singh, Ld counsels for the appellant along with appellant.
Sh. Madan Sagar, Ld counsel for the respondent in appeal no. 473/24.
Sh. Pritish Sabharwal, Ld. counsel for the respondent in appeal no. 441/24 and 600/24.
Ms. Anita Dev, Ld. counsel for the intervener.

Vide separate common judgment of even date, the aforesaid appeals are disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 678/24

23.07.2026

Present : None for the appellant.
 Sh. Pritish Sabharwal, Ld counsel for the respondent
 joined through VC.

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

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 subject to cost of Rs. 5,000/- to be deposited with the Registry of this Tribunal.

Put up for arguments on **05.11.2026**.

It is made clear that there is no interim protection in the present case.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 925/24

23.07.2026

Present : Sh. Gourav, Ld. Proxy counsel for the appellant along with appellant.
Sh. Sanjay Sethi, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Vimal Dhingra is out of country.

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 subject to cost of Rs. 5,000/- to be deposited with registry.

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
23.07.2026

A.No. 132/25 & 210/25

23.07.2026

Present : Sh. Dalip Rastogi, Ld. counsel for the appellant in appeal no. 132/25 and for R-2 in appeal no. 210/25.
Ms. Anuraj, Id. Proxy counsel for appellant in appeal no. 210/25 and counsel for the intervener in appeal no. 132/25.
Sh. K.D. Sharma, Ld. counsel for the respondent in 132/25.
Sh. Ashutosh Gupta, Ld. proxy counsel for Ms. Vasu Singh, counsel for the respondent in appeal no. 210/25.
Sh. Naresh Sharma, Ld. counsel for the DDA in appeal no. 210 along with Sh. Alok Mishra, SSA, DDA.
Sh. Vaibhav Gupta, Ld. counsel for the respondent no. 3, 4 and 5 in appeal no. 210/25.

Reply to the appeal filed by the DDA in appeal no. 210/25. The record has been produced by the DDA. Same is returned.

An adjournment is sought on behalf of the respondent/MCD as Sh. K.D. Sharma has recently been engaged and Ms. Vasu Singh is held up Hon'ble High Court.

Adjournment is also sought on behalf of the appellant in appeal no. 210/25 and for the intervener in appeal no. 132/25, on the ground that main counsel is out of station.

In the interest of justice one more opportunity is granted to the parties to address the arguments in the matter on 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
23.07.2026

A.No. 168/25 & 234/25

23.07.2026

Present : Sh. Harsh Kashyap, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel has gone to Allahabad because of death of his maternal uncle (mamaji).

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 **17.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 170/25

23.07.2026

Present : Sh. Sushant Rao, Ld. proxy counsel for the appellant
joined through VC.

Sh. Aashish Gumber, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as
main counsel Sh. Ajay Gahlot is not well today.

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

Put up for arguments on **16.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 244/25

23.07.2026

Present : Sh. Naushad and Sh. Ashish Gupta, Ld counsels for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent.
Sh. Gourav, Ld. proxy counsel for the intervener.

Part arguments heard.

At request, put up for further arguments on **07.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.07.2026

A.No. 362/25

23.07.2026

Present : Sh. Sanjeev Nasiar and Sh. C.M. Sharma, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Ajay Kumar, Jt. A&C, Sh. Sanjay Kumar, AA&C ad Sh. Ishu Sehrawat, JSA.

Reply filed by the MCD in response to the directions given on the last date of hearing as per which, the DNC register of the ledger prior to 31.03.2004 is not traceable and might be in the store room for which the store keeper is required to be consulted. Copy of the reply supplied.

MCD is given one more opportunity to trace this register and to place on record.

At request, put up for further 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
23.07.2026

A.No. 607/25 & 643/25

23.07.2026

Present : Sh. Jayant Garg, Ld. Proxy counsel for the appellant through VC.
Ms. Jasleen Kaur, Ld counsel for the respondent in appeal no. 643/25 through VC.
Sh. Atul Tanwar, Ld. counsels for the respondent in appeal no. 607/25 joined through VC.
Sh. Amit Minocha, Ld. counsel for the intervener joined through VC along with Sh. Krishan Kumar, Adv.

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

Reply, if desired to the said application be filed with advance copy to the Id counsel for the intervener.

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

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

Put up for reply and arguments on the said application under Order I rule 10 CPC and 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
23.07.2026

A.No. 729/25

23.07.2026

Present : Ms. Manu, Ld. proxy counsel for the appellant.
Sh. Atul Tanwar, Ld. counsels for the respondent joined through VC. .
Sh. Amit Minocha, Ld. counsel for the intervener joined through VC along with Sh. Krishan Kumar, Adv.

An adjournment is sought on behalf of the appellant as main counsel Ms. Parul Agarwal, is held up before Hon'ble High Court.

Ld. counsel for the respondent has stated that there are 6 appellants who file separate applications for regularization of construction of their flats separately and are required to file separate appeal against the impugned rejection order.

Ld. counsel for the appellant is directed to explain as to how a common appeal for the six appellants is maintainable when they separately applied for regularization for construction of their flats on the next date of hearing.

Put up for arguments on the maintainability of this 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
23.07.2026

A.No. 28/26

Parshvanath Carried out Operative Group Housing Society Ltd. Vs. MCD

23.07.2026

Present : Sh. Armaan Monga, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Rajesh Palo, Sh. Sudhanshu Palo and Sh. Mihir Ku Jena, Id. counsels for the intervener.
Sh. Sanjay Kumar, Ld. counsel for the applicants along with applicant no. 1 Rajender Nath Sharma.

An application under Order I rule 10 CPC filed on behalf of the intervener Rajender Nath Sharma and Indu Sharma. Copy supplied.

Reply, if desired to the said application be filed with advance copy to the Id counsel for the intervener.

At this stage, it is stated by Sh. Rajesh Palo, Advocate appearing on behalf of the interveners that they are not opposing this appeal and therefore, are not withdrawing this appeal.

Ld. counsel for the applicant/intervener, who has filed the application under Order I rule 10 CPC today, has drawn my attention to the order passed by the Hon'ble High Court dated 27.04.2026 in W.P.(C) no. 15613/25 where the appellant society was respondent no. 4.

Sh. Sanjay Kumar Aggarwal, the current President of the appellant society gave statement before the Hon'ble High Court that this appeal shall be withdrawn and the same was taken on record by the Hon'ble High Court and

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respondent no. 4 society who is appellant herein, was bound by the same. It was further stated on behalf of the society before the Hon'ble High Court that the management shall demolish the unauthorized construction within eight weeks.

Despite this undertaking, the appellant society neither demolished the unauthorized construction nor withdrew this appeal.

The Hon'ble High Court bound the appellant with the statement given therein and therefore, in these facts, this **appeal is not maintainable and is hereby dismissed.**

The appellant have also committed the contempt of the Hon'ble High Court by not honoring the statement given before the Hon'ble High Court.

The respondent/MCD is directed to take action against the unauthorized construction.

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
23.07.2026

A.No. 189/26

23.07.2026

Present : Sh. Anubhav Tyagi, Ld counsel for the appellant joined through VC.

Sh. Ashutosh Gupta Ld counsel for the respondent.

An adjournment is sought by the counsel for the appellant as he is held up before the 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 **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
23.07.2026