

A.No. 678/26

06.08.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Aditya Raj, Ld counsel for the appellant along with appellant.

Submissions heard. File perused.

This appeal has been filed against the rejection order as well as demolition order, 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 appellant submits that he does not press this appeal against the rejection order and this appeal may be treated only against the demolition order and he be given liberty to file separate appeal against the rejection order as per law.

In view of the submissions made by Id. counsel for the appellant, now this appeal is treated only against the demolition order. Appellant is at liberty to file appeal against the rejection order 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 **31.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 680/26

06.08.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Sunil Choudhary, Ld counsel for the appellant joined through VC.

Submissions heard. File perused.

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

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 681/26

06.08.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Suman Kumar, 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 **09.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 682/26
Vinod Khanna Vs. MCD

06.08.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Vivek Kumar Tandon, 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 **20.11.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. first floor of property no. 15A/16, East Patel Nagar, Delhi, in pursuance of the demolition order dated 16.07.2026. 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 India. It is also made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

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Registry is directed to send the copy of this order to the Dy. Commissioner concerned, who shall send the acknowledgement of this order to this Tribunal within a week after receiving the copy of the order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 690/26

06.08.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Piyush Chhabra and Ms. Komalta, 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) no. 5 to 9.

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 **20.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 693/26

06.08.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Deepak Vohra, Ld counsel for the appellant joined through VC along with Sh. Yuvv Wadhwa, Advocate.
Submissions heard. File perused.

Issue notice of interim application(s) as well as appeal to the respondent/DDA through concerned Chief Legal Advisor 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 **17.11.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flat no. 733, CA Apartments, Block A-3, Paschim Vihar, New Delhi, in pursuance of the demolition order dated 27.06.2026. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.

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Registry is directed to send the copy of this order to the Dy. Commissioner concerned, who shall send the acknowledgement of this order to this Tribunal within a week after receiving the copy of the order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 694/26
Sandeep Kumar vs. MCD

06.08.2026
Fresh appeal received. It be checked and registered.

Present : Sh. S.K. Singh and Sh. Vinay Mishra, Ld counsels for the
appellant along with 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 **14.09.2026**.

Till next date of hearing, no coercive action be taken
against the property of appellant i.e. A-2 (Part), Gali no.
12, New Govind Pura, Delhi-110051 in pursuance of the
demolition order dated 04.02.2026. This interim order
shall not come in the way of any order/directions passed
by the Hon'ble High Court as well as Hon'ble Supreme
Court of India. It is also made clear that no
encroachment on the public land is protected. The
appellant is directed not to raise any further construction
in the property in question.

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Registry is directed to send the copy of this order to the Dy. Commissioner concerned, who shall send the acknowledgement of this order to this Tribunal within a week after receiving the copy of the order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 466/25

06.08.2026

Present : None for the applicant.

File is taken up today on three applications (i) application for early hearing (ii) application under Order I rule 10 CPC and (iii) application for desealing filed on behalf of the applicant.

The next date of hearing in the matter is 16.10.2025. The appeal is of the year 2025. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Let notice of other two applications be issued to the appellant as well as respondent for **16.10.2026**, the date already fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 187/26

06.08.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Avishek Kumar along with Sh. Tariq Aman, Ld.
counsels for the respondent. Fresh Vakalatnama filed,
same is taken on record

Status report is filed by the MCD, copy supplied.

The record has already been deposited 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 **23.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 316/26 & 317/26

06.08.2026

Present : Sh. Manu Sisodia, Ld counsel for the appellant.
Sh. Amit Kumar, Ld counsel for the respondent in appeal no. 316/26. Fresh Vakalatnama filed, same is taken on record.
Sh. S. Adil Khan, Ld counsel for the respondent in appeal no. 317/26. Fresh Vakalatnama filed, same is taken on record

Separate Status reports filed by the MCD, copy supplied.
The record has been produced in connected appeals. 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 **30.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 653/26

06.08.2026

Present : Sh. Shiv Shankar Parashar, Ld. counsel for the applicant
joined through VC.

File is taken up today on three applications (i) application under I rule 10 CPC (ii) application to vacate the interim order and (iii) application for early hearing, filed on behalf of the applicant.

The next date of hearing in the matter is 05.11.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application for early hearing is dismissed.

Let notice of other two applications be issued to the appellant as well as respondent for the date fixed i.e. **05.11.2026** the date already fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 661/26
Kiran Bhagwasiya and Anr. vs. MCD

06.08.2026

Present : Sh. Kaushal Mehta, Ld counsel for the appellant joined through VC.

File is taken up today on an application seeking modification/clarification of the order dated 03.08.2026.

Submissions heard. Record perused.

Ld counsel for the appellant submits that in the order dated 03.08.2026, 'second floor' was mentioned instead of 'first floor' and same may be corrected.

Considering the submissions of the counsel as well as perusal of the record, the submissions made by the ld counsel for the appellant are found correct and as such, the application is allowed and now the word 'second floor' is hereby replaced with 'first floor' and now the address of the property be read as 'first floor of the property bearing no. 10504, Gali no. 4 and 5, Motia Khan, Pahar Ganj, New Delhi' in the order dated 03.08.2026.

The application stands disposed of.

Put up on the date fixed for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 395/19

06.08.2026

Present : None for the appellant.
 Sh. Avishek Kumar, Ld counsel for the respondent joined
 through VC.

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

In the interest of justice another 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 **22.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 5/14

06.08.2026

Present : Sh. Prashant Katara, Ld counsel for the appellant joined through VC.
Ms. Neetu, Ld. proxy counsel for Sh. Dharamvir Gupta, the respondent.

Ld counsel for the appellant submits that he wants to withdraw the aforesaid appeal with liberty to challenge the order of rejection of the regularization application and today he is not in a position to appear before the Tribunal for making the statement in this regard.

At request, put up for recording the statement qua withdrawal of the aforesaid appeal on **11.08.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No., 767/14, 81/15, 1034/16 & 409/18

06.08.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Neetu, Ld. proxy counsel for Sh. Dharamvir Gupta,
Ld. counsel for the respondent in appeal no. 767/14
Sh. V.K. Aggarwal, Ld counsel for the respondent in
appeal no. 1036/16 & 409/18 along with Ms. Sakshi
Shedha, Town Planning Department.
Ms. Manjusha Jha, Ld. counsel for the respondent in
appeal no. 81/15.

Status report is filed by the MCD, copy supplied.

As per the status report, the draft agenda has been put
for approval before the Additional Commissioner
yesterday for placing it further before the LOSC and
thereafter, it will be sent to the Standing Committee for
approval.

MCD is directed to file further status report in this regard
on the next date of hearing.

Put up for awaiting the status report and 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
06.08.2026

A.No. 324/21 & 325/21

06.08.2026

Present : None for the parties.

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

No adverse order is being passed today.

Let fresh notices be issued to the counsel for the appellant as well MCD/respondent to appoint fresh counsel in the matters for **23.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 159/23 & 188/23

06.08.2026

Present : Sh. Abhinav Tyagi, Ld. counsel for the appellant through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no 159/23.
Ms. Praveen Sharma, Ld counsel for the respondent in appeal no.188/23 joined through VC.
Sh. Abhishek Grover, Ld counsel for the intervener joined through VC.

An adjournment is sought by the counsel for the intervener that he is held up before the Hon'ble High Court

Same is strongly opposed.

Counsel being busy before the Hon'ble High Court is not a plausible reason to adjourn the matter.

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 **11.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 623/23

06.08.2026

Present : Sh. Abhishek Sharma, Ld counsel for the appellant.
Fresh Vakalatnama filed, same is taken on record.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

An application seeking waiver of cost filed on behalf of the appellant. Though, there is no ground to waive off the cost, but considering the submissions made by the Id counsel for the appellant, the cost is reduced from Rs. 10,000/- to Rs. 5,000/-. Let the same be deposited.

Arguments heard on the applications seeking condonation of delay in filing the aforesaid appeal.

The appellant has challenged the sealing order dated 20.06.2019 and this appeal was filed on 22.09.2023. The appellant filed writ petition before the Hon'ble High Court on 15.10.2019 against this order, which was dismissed as withdrawn on 23.08.2023 and the Hon'ble High Court permitted the appellant to take benefit of Section 14 of the Limitation Act for the period spent in the writ petition. In these facts, the period is to be excluded giving benefit of Section 14 of the Act. However, the appellant has not been able to explain the delay between 20.06.2019 till 15.10.2019, when he filed the writ petition before the Hon'ble High Court and arguments that the appellants

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after this impugned order received other certain show cause notices is no ground, to not to challenge the sealing order within 30 days. Infacts, the delay caused between 20.07.2019 to 15.10.2019 is condoned subject to deposit a cost of Rs. 2,000/- with the Registry of this Tribunal.

The applications stand disposed of.

An adjournment is sought by the counsel for the appellant as he is not ready with the arguments.

At request, put up for arguments on appeal 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
06.08.2026

A.No. 737/23
Sanjay Kumar Vs. MCD

06.08.2026

Present : Sh. Anuj Garg, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Arguments heard. File perused.

The appellant has challenged the impugned demolition order dated 25.10.2023 passed in respect of property in front of property number shop no. 6, Block E-2, third Sixty Feet Road, Molarband Extension, Badarpur, New Delhi on several grounds including that his reply to the show cause notice dated 16.10.2023 was not considered.

The respondent was directed to file the status report in respect of this reply being received or not.

Vide status report dated 17.01.2025, it was mentioned that the reply was received on 19.10.2023 vide diary no. 1857 dated 20.10.2023.

This reply is not a part of the record and the impugned demolition order records that no reply has been received. Not only that the reply was not considered but also the opportunity of personal hearing was not provided to the appellant.

In these facts, the demolition order dated 25.10.2023 is set aside with directions to the respondents to pass a speaking order after considering the reply dated

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19.10.2023 submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 01.09.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The appellant 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
06.08.2026

A.No., 752/23

06.08.2026

Present : Sh. Lalit Gupta and Sh. Anmol Ghai, Ld counsel for the appellant along with appellants no. 4 and 5.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Arguments heard on the applications seeking condonation of delay in filing the aforesaid appeal. The Hon'ble High Court vide order dated 06.11.2023 passed in W.P.(C) no. 14458/23 in para 8-A directed this Tribunal to hear this appeal on merits, if the same is filed on or before 21.11.2023. This appeal was filed on 21.11.2023. In these facts, the question of condonation of delay before this Tribunal does not arise as the Hon'ble High Court has already condoned the same.

The applications stand disposed of.

On joint request, put up for arguments on appeal on **13.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 21/24

Mohd. Mustafa and Ors. VS. MCD

06.08.2026

Present : Ms. Salma Khan, Ld counsel for the appellant joined through VC.
Sh. Chetan Hasija, Ld counsel for the respondent joined through VC.
Ms. Jitasha Bahl, Ld counsel for the respondent no. 2.

Arguments heard at length.

The appellants who are six in numbers have challenged the permission accorded to respondent no. 2 and 3 for installation of roof-top poles at the terrace of property no. WZ-248, Khasra no. 1575, Old Lal Dora, Tihar Village, New Delhi.

It was argued for the appellants that the respondent no 3 Kusum Lata is not the owner of the fourth floor and one Mr. Ravinder Singh is the owner of the fourth floor yet the permission to install tower was given to Kusum Lata without considering as to whether she is the owner of the property or not.

Further, respondent no. 2 Bharti Airtel gave undertaking that there is a single owner of the building which is contrary to the fact that there are several owners of this property WZ-248, Khasra no. 1575, Old Lal Dora, Tihar Village, New Delhi and further, the sanction was given for

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installation of only one Tower, whereas there are two towers in the property and therefore, the impugned permission dated 09.11.2023 should be revoked.

Ld counsel for the respondent/MCD on the other hand argued that the sanction was accorded on the basis of online application given by the Bharti Airtel as well as the Indemnity bonds, undertaking etc. and if there is any misrepresentation or concealment of the facts, the Bharti Airtel Ltd., is liable for the same.

Ld. counsel for the Bharti Airtel on the other hand argued that appeal is barred by limitation, the appellants are not aggrieved persons and lastly that Smt. Kusum Lata-respondent no. 3 is the owner of the third floor with roof rights and has rightly given her consent and entered into a License Agreement with Bharti Airtel and the appeal should be dismissed.

I have perused the record.

The sanction was accorded in favour of Bharti Airtel on 09.11.2023 for installation of roof top pole (RTP) at the terrace of this property no. WZ-248, Khasra no. 1575, Old Lal Dora, Tihar Village, New Delhi. The appellants have filed this appeal on 11.01.2024 which is beyond

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limitation of 30 days and there is no application seeking condonation of delay and the appeal is liable to be rejected on this ground alone.

Further, out of the six appellants, only two are residents of this property and the other four appellants 1, 4, 5 and 6 have no locus to file this appeal.

Be that as it may, the office record shows that one GPA was executed in favour of Ravinder in respect of fourth floor on 21.02.2018 and thereafter the sale deed for the third floor with roof rights was executed in favour of the respondent no. 3 Kusum Lata, who is wife of Ravinder. The GPA is unregistered documents and does not create any right, title or interest. Once, sale deed was executed in favour of Kusum Lata for third floor with roof rights, the GPA loses its significance and the appellants cannot argue that respondent no. 3 is not the owner of the third floor with roof rights.

Coming to the argument that an undertaking was given by Bharti Airtel that there is single owner of this building, the roof top pole is required and has been installed at the terrace of the third floor or fourth floor. None of the appellants have any right on the terrace of the third floor and as such there appears to be no misrepresentation on the part of the respondent no. 2 in giving this undertaking.

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Coming to the arguments of installing two roof top poles instead of one, the license does not specify as to how many poles have been permitted to be installed. The appellants have no material to show that only one pole was sanctioned at the subject premises.

The appeal is devoid of any merits and is hereby 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
06.08.2026

A.No. 193/24

06.08.2026

Present : Sh. Ajay M. Lal, Ld counsel for the appellant along with appellant present in the Court.
Sh. Avishek Kumar, Ld counsel for the respondent joined through VC.
Sh. Dalip Rastogi, Ld counsel for the intervener.

Part Arguments heard.

Ld counsel for the appellant seeks some more to time to advance further arguments.

At request of Id counsel for the appellant, put up for further arguments on **19.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 558/14

06.08.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Tarun Sabharwal, Ld counsel for the respondent.

The matter in respect of the subject property is also subjudice before the Hon'ble High Court in a writ petition listed in October 2026.

Infacts, put up for further arguments on **19.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 735/24

06.08.2026

Present : Sh. Pradeep Kumar, Ld proxy counsel for the appellant joined through VC.
Sh. Atul Tawanr, Ld counsel for the respondent joined through VC.

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

The appellant has not even deposited the previous cost of Rs. 5000/- and is also enjoying the benefit of interim protection dated 13.09.2024.

In these facts the interim protection is vacated. Let the Action taken report be filed by the respondent/MCD on next date of hearing.

Put up for deposit of cost and arguments on **25.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 768/24

06.08.2026

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

Part arguments heard.

Let the entire Property Tax return (PTR) in respect of first floor of property no. J-65, Kirti Nagar, Delhi-15 be called from the MCD, for next date of hearing.

Put up for further arguments on **25.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 1066/24, 1067/24, 457/25 & 458/25

06.08.2026

Present : Sh. Santosh Kumar and Sh. S.B. Pandey, Ld counsel for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for the respondent joined through VC along with Sh. Vipin Mann, JE, MCD, Karol Bagh in person.
Ms. Vasu Singh, Id counsel for the respondent in appeal no. 458/25 joined through VC.

Status report is filed by the MCD, copy supplied.

Arguments heard.

Ld counsel for the respondent has prayed for vacation of interim order dated 01.08.2025 vide which interim protection was granted to the appellants. It is stated that the appellants violated the status quo orders, directed to be maintained by this Tribunal, in respect of construction and have amalgamated the two subject properties no. 11-A/39, WEA, Karol Bagh and 11-A/44, WEA, Karol Bagh.

Further, the basement is being used for commercial activities, which is not permissible. There are projections on municipal land on ground to third floor which are non-compoundable. The appellants deliberately avoided joint inspection as volunteered by the appellants on 01.08.2025 and during this one year have even reconstructed the portion demolished by MCD.

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Ld counsel for the appellants on the other hand has stated that the appellants have not raised any unauthorized construction and the joint inspection could not be done earlier because of negligence of the officials of MCD and therefore, the interim order cannot be vacated.

I have perused the record.

These are four appeals filed in respect of property no. 11-A/39 and 11-A/44, WEA, Karol Bagh, New Delhi. This court vide order dated 01.08.2025 disposed of the interim application thereby directing the parties to maintain status quo in respect of properties in question. The appellants volunteered for joint inspection on 01.08.2025 so that non-compoundable deviations can be removed. The parties were given liberty to schedule the joint inspection. Thereafter the joint inspection could not be carried out for the reason that the appellants were not available or that they did not permit this inspection and on the other hand kept on seeking adjournments on one or the other ground. The joint inspection was carried out only after the order dated 07.07.2026 vide which this Tribunal was compelled to provide police aid for this joint inspection.

In this joint inspection, it was found that the appellants have reconstructed the unauthorized construction demolished by MCD, amalgamated these two properties

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: 3 :

and further have projections on municipal land on all the floors which are non-compoundable. The appellants violated the status quo directed to be maintained vide order dated 01.08.2025 and the same is a sufficient ground to withdraw the interim protection. The appellants during last one year raised unauthorized construction, amalgamated the property and also started using the basement for commercial purposes.

In these facts, the interim protection dated 01.08.2025 is vacated. The MCD is directed to demolish all non-compoundable deviations, seal the doors on all the floors through which both the properties have been amalgamated and to file action taken report on the next date of hearing.

Put up for arguments on all the four appeals on **22.10.2026.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 1092/24 & 1093/24

06.08.2026

Present : Sh. C.M. Grover, Ld counsel for the appellant through VC
and Sh. Shivam Upadhyay, Adv, in person.
Ms. Neetu, Ld. proxy counsel for Sh. Dharamvir Gupta,
Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

As per the status report, the regularization application of
the appellant has been rejected on 14.10.2025.

At request of the Id counsel for the appellant, put up for
arguments on **26.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 180/25

Nabi Ahmed Tamana and Ors. vs. MCD

06.08.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent joined through VC.

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

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

In view of the statement made by the Id. counsel for the appellants, the aforesaid appeal stands disposed off as withdrawn.

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
06.08.2026

A.No. 196/25
Sonia Vs. MCD

06.08.2026

Present : Sh. Manoj Aggarwal, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined
through VC.

Heard. File perused.

The aforesaid appeal is against the vacation notice dated
01.04.2025 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
06.08.2026

A.No. 245/25, 246/25 & 247/25
Amit Chakraborty Vs. MCD

06.08.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent joined
through VC.

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

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.

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
06.08.2026

A.No. 341/25

06.08.2026

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

Part arguments heard.

Ld. counsel for the appellant submits that Jai Vihar, Baprola colony 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 further arguments on this appeal **27.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 397/25
Mohd. Ibrahim Vs. MCD

06.08.2026

Present : None for the appellant.
 Sh. Madan Sagar, 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/6.8.26

At 2.35 pm
Present :

None for the appellant.
Sh. Madan Sagar, Id 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.

It is already 2.35 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
06.08.2026

A.No. 29/26

06.08.2026

Present : Sh. J.P. Singh, Ld counsel for the appellant joined through VC along with Sh. Shivendu Chauhan, Adv.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.

Part arguments heard.

The appellant has relied upon the photocopy of the police complaint dated 05.12.2007 filed as Annexure-J to the appeal to claim that the third floor is also in existence prior to the cut-off date i.e. 01.06.2014 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

Let the original of this report be produced on the next date of hearing.

At request, put up for further 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
06.08.2026

A.No. 59/26 : Narender Kumar Vs. MCD
A.No. 60/26 : Kewal Kishan Chopra Vs. MCD
A.No. 61/26 : Rahul Gridhar Vs. MCD
A.No. 62/26 : Sunil Kumar Vs. MCD
A.No. 63/26 : Manoj Kumar Goyal Vs. MCD

06.08.2026

Present : Ms. Hinu Mahajan, Id counsel for the appellant.
Sh. Ashutosh Gupta, Id. counsel for the respondent in appeal no. 59/26 and 61/26.
Ms. Rani Prajapati, Id. proxy counsel for Sh. S. Adil Hussain, Id counsel for the respondent in appeal no. 60/26, 62/26 & 63/26.

Applications seeking waiver of cost filed in all the matters. Submissions heard. In view of the reason given, the applications are allowed and the cost is waived.

Arguments heard on the appeal. The appellants have challenged the impugned demolition order dated 14.11.2025 passed in respect of shops no. B-3/14, 15, 31, 32, Block B-3, DDA Market, Nand Nagri, Delhi-110093 on several ground including that the non-speaking order was passed without considering the reply of the appellant.

Ld counsel for the MCD on the other hand has stated that the appellants failed to produce any document along with the reply to show that the unauthorized construction is protected under any Act or is as per the sanctioned building plan and therefore, the reply was rightly held to be 'Unsatisfactory'.

.....contd.2

: 2 :

I have perused the record.

The impugned order records that no satisfactory reply received. The appellants gave detailed reply with documents and it is a non-speaking order on the face of it as the appellants have right to know as to why the reply was not found 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 judgment of the Hon'ble Delhi High Court passed in the case of **Jaspal Singh Jolly Vs MCD 125 (2005) DLT 592** held that the impugned order saying reply was unsatisfactory is bad in law and is liable to be quashed.

In these facts, the demolition order dated 14.11.2025 is set aside with directions to the respondents to pass a speaking order after considering the reply submitted by the appellants afresh and after giving personal hearing to the appellants. The appellants shall appear before the Quasi Judicial Authority on 01.09.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

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With the above observations, the aforesaid appeals stand 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
06.08.2026

A.No. 273/26 & 274/26

06.08.2026

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

Common status report is filed by the MCD and same is kept in appeal no. 273/26. Copy supplied.

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

It is stated by the Id counsel for the appellant that the Hon'ble High Court has protected the subject property from any coercive action till the regularization application filed by the appellant. Whereas it is stated on behalf of the MCD that this protection has been granted for 15 days with directions to the MCD to decide the regularization application within this period.

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

At request, put up for arguments on **30.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
06.08.2026

A.No. 275/26

06.08.2026

Present : Sh. Ashwani Jha, Prashant Tiwari, Sh. Pankaj Aggarwal
and Sh. Suraj, Ld counsels for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined
through VC.

Arguments heard at length.

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
06.08.2026

A.No. 236/23

06.08.2026

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

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
06.08.2026