

A.No. 799/26
Anuprabha Singh Vs. MCD

09.09.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Shekhar Nanawati, Ld counsel for the appellants.
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. Flat no. 526, Block E, Pkt. 3, Paradise Apartment, Sector-18, Rohini, in pursuance of the demolition orders dated 18.08.2026. 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
09.09.2026

A.No. 800/26
Joban Preet Singh Vs. MCD

09.09.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Shekhar Nanawati, Ld counsel for the appellants.
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. Flat no. 82, Block E, Pkt. 3, Paradise Apartment, Sector-18, Rohini, in pursuance of the demolition orders dated 14.08.2026. 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
09.09.2026

A.No. 801/26
Arti Vs. MCD

09.09.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Shekhar Nanawati, Ld counsel for the appellants.
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. Flat no. 588, Block E, Pkt. 3, Paradise Apartment, Sector-18, Rohini, in pursuance of the demolition orders dated 14.08.2026. 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
09.09.2026

A.No. 802/26

Vimla Devi vs. MCD

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Shekhar Nanawati, Ld counsel for the appellants.

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. Flat no. 79, Block E, Pkt. 3, Paradise Apartment, Sector-18, Rohini, in pursuance of the demolition orders dated 14.08.2026. . 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
09.09.2026

A.No. 827/26 & 828/26

09.09.2026

Fresh appeals received. It be checked and registered.

Present : Sh. Kislaya Parashar, Ms. Deepali Verma and Sh. Anuj Sharma , Ld counsel for the appellant.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **09.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 839/26

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Amit Punj, 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 **30.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 841/26

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Mohd. Ehtesham Hussain, Ld. proxy 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 **01.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 842/26

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Zuber Ali, Ld. proxy 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 **18.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 843/26

Mohammad Arshad Ahmad Vs. MCD

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. M. Sufian Siddiqui, Mohd. Mazhar Ahmad and Sh. Rakesh Bhugra, 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 **14.10.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Second floor of property no. 6198-B, Katra Baryan, Fateh Puri, Chandni Chowk, Delhi-110006 in pursuance of the demolition order dated 18.08.2026. 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

09.09.2026

A.No. 852/26

09.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Sandeep Khatri, 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 **03.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 78/24

Suchit Prasad Jain & Anr. Vs. MCD

09.09.2026

Present : Both the appellants in person along with Sh. Subham Jain, son of the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The appellants submits that they want to withdraw the aforesaid appeal and they may be permitted to withdraw the aforesaid appeal.

Statement of the appellants recorded separately to this effect.

In view of the statement made by the appellants themselves, 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
09.09.2026

A.No. 103/25 & 161/25

09.09.2026

Present :

Sh. G.R. Verma, Sh. H.K. Sharma and Ms. Sonu Lohiya, Ld counsels for the appellant.

Sh. Ashutosh Gupta, Id counsel for the respondent in appeal no. 103/25.

Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 161/25.

It is stated for the appellant that the regularization application of the appellant is still pending.

Ld counsel for the respondent submits that no such application has been filed by the appellant and the appellant be directed to place on record the proof of the applying for regularization. The appellant is directed to file proof of the applying for regularization.

I have perused the record.

The booking is in respect of two rooms in stilt and further unauthorized construction of ground to third floor. Admittedly, there is no sanctioned building plan and even if, it is believed that the appellant has applied for regularization, the two rooms at the stilt cannot be regularized. Otherwise, there is no interim protection in the matter.

In these facts, the MCD is directed to take appropriate action in respect of any construction existing in the stilt floor and to file the status report on the next date of hearing.

Put up for awaiting status report and arguments on **14.12.2026.**

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD/09.08.26

A.No. 178/26

09.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Ms. Hinu Mahajan, Id. counsel for the intervener along
with intervener.

An application under Order I rule 10 CPC along with
certain documents filed on behalf of the intervener.
Copy supplied.

Reply, if any, to this application be filed within 4 weeks
with advance copy to the other side.

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 **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
09.09.2026

A.No. 221/26 : Dharam Raj and Anr. Vs. MCD
A. No.233/26 : Dharam Raj and Anr. Vs. MCD

09.09.2026

Present : Ms. Parul Agarwal, Id. counsel for the appellant. Fresh Vakalatnama filed in appeal no. 221/26. Same is taken on record
Sh. Atul Tanwar, Ld. Standing counsel for the respondent along with Sh. Vaibhav Sanwal, Adv in appeal no. 221/26..
Sh. Dharmvir Gupta, Ld. counsel for respondent in appeal no. 233/26.

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

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

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

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
09.09.2026

A.No. 369/26

09.09.2026

Present : Sh. Harish Singh, Ld. proxy counsel for the appellant along with appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

An adjournment is sought on behalf of the appellant as father of the main counsel Sh. R.K. Chaudhary is admitted in ICU.

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 arguments on **17.12.2026**.

Protection is only given to the third floor only and the respondent is at liberty to take action against the other floors of the property in pursuance to the demolition order.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 504/26

09.09.2026

Present : Ms. Aakriti Mathur, Ld counsel for the appellant. Fresh Vakalatnama filed for appellant no. 2, same is taken on record
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Himanshu Yadav, Id counsel for the respondent no. 2 along with respondent no. 2. Fresh Vakalatnama filed, same is taken on record.

It is stated by the Id counsel for the appellant no. 2 that she is appearing for all the appellants and will file her vakalatnama for remaining appellants in due course.

Ld counsel for the respondent no. 2 submits that he was engaged a day before only and seeks a week's time to file the reply.

Record shows that the R-2 was served on 31.07.2026 and almost 40 days have passed since then and the counsel should have been engaged in reasonable time. However, infacts, subject to the cost of Rs. 2,000/- to be deposited with Registry of this Tribunal, R-2 is given two week's time to file the reply to the appeal and misc. application, if any desired, with advance copy to the Id counsel for the appellant and R-1.

MCD is directed to physically inspect the property and to file status report in respect of number of dwelling units being under construction in the property and also to clarify that how the proposed sanctioned building plan

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which was approved, shows one kitchen on every floor from ground to third, whereas the sanction letter restricts construction of only two dwelling units, on the next date of hearing.

Put up for awaiting the status report and arguments on **03.11.2026**. It is directed that the private respondents shall not create any third party interest, if not already created, in the subject property.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 507/26 & 519/26

09.09.2026

Present :

Sh. Avinash Das and Sh. Nikhil Yadav, Ld counsels for the appellant along with appellants.

Ms. Nandini Aggarwal, Ld counsel for the respondent in appeal no. 507/26.

Sh. Atul Tanwar, Id. standing counsel for the respondent/MCD in appeal no. 519/26. Fresh Vakalatnama filed, same is taken on record.

Sh. Harshit Sharma, Ld. counsel for the proposed intervener, which is RWA joined through VC.

Status report is filed by the MCD in both the matters, Copy supplied.

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

Ld counsel for the proposed intervener has already supplied the advance copy of the application under Order I rule 10 CPC to the Id counsel for the appellant. Let the copy of the Tribunal be filed today itself and be also supplied to the Id counsel for the respondent/MCD.

Reply, if any, to this application be filed within 4 weeks with advance copy to the other side.

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

At request, put up for reply and arguments on **16.12.2026**.

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

(AMIT KUMAR)

Addl. District & Sessions Judge

P.O.: Appellate Tribunal, MCD/09.09.26

A.No. 546/26

09.09.2026

Present : Sh. S.K. Karn, Ld counsel for the appellant along with appellant.
Sh. Rahul Kumar Verma, Ld counsel for the respondent.
Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

It is stated for the respondent that record of this appeal was tagged in appeal no. 689/18 which has already been dismissed on 02.06.2022.

Let the record of that appeal be tagged with this appeal along with MCD record, if still tagged with that appeal, otherwise the MCD is directed to file the record on the next date of hearing.

Reply, if any, to the application seeking condonation of delay be filed within 4 weeks with advance copy to the other side.

Put up for reply and arguments on this application condonation of delay and appeal on **14.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 556/26

09.09.2026

Present : Sh. Satish Chaudhary, Ld. counsel for appellant joined through VC along with Ms. Khushi Jain, Adv.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Pradeep Chhindra, Sh. Sumit Kumar and Sh. Parth Dhawan, Id counsel for the respondent no. 4 and 5. Fresh Vakalatnama filed, same is taken on record

Ld. Counsel for the R-4 and R-5 seeks time to file reply to the appeal/Misc. application(s). Let the same be so filed within 4 weeks from today with advance copy to the other sides.

An adjournment is sought by the main counsel for the appellant as he has been held up today in Karkardooma Courts.

At request, put up for arguments on **17.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 32/26 (M)

09.09.2026

Present : Ms. Kajal Chandra, Ld counsel for the applicant/
appellant joined through VC.
None for the respondent.

This is an application seeking restoration of the appeal dismissed in default on 17.11.2025.

The other appeal of the appellant dismissed on the same day was restored subject to cost of Rs. 10,000/-, which has been reduced to Rs. 5000/- by the Hon'ble High Court.

On the ground of parity, this appeal is also restored to its original number subject to deposit a cost of Rs. 5,000/- with the Registry of this Tribunal before next date of hearing.

None has appeared for the respondent despite calls. Fresh notice be issued to the MCD for appointing and ensuring the presence of the counsel on the next date of hearing.

Put up for arguments in this appeal bearing no. 117/17 along with appeal no. 929/16 on **02.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 929/16

09.09.2026

Present : Ms. Kajal Chandra, Ld counsel for the appellant joined through VC.
Sh. Atul Tanwar, Ld. Standing Counsel for the respondent.

At request, put up for arguments with connected appeal no. 117/17 on **02.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 626/26 & 910/24 : Chirag Sethi & Ors. Vs. MCD
627/26 & 911/24 : Veena Sethi Vs. MCD
628/26 & 909/24 : Kamal Kumar Handa Vs. MCD
629/26 & 912/24 : Darshal Lal & Anr. Vs. MCD

09.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Jasleen Kaur, Id counsel for the respondent joined through VC. in appeal no. 626/26, 627/26, 909/24 & 912/24
Sh. Varun Sharma, Ld counsel for the respondent in appeal no. 628/26 and 629/26. Fresh Vakalatnama filed, same is taken on record
Sh. Apoorv Sisodia, Ld. counsel for respondent in appeal Nos. 910/24 & 911/24 joined through VC.

Status report is filed by the MCD in all the four appeals relating to demolition order bearing no. 626/26, 627/26, 628/26 & 629/26, copy supplied.

Arguments heard in all the eight appeals.

1. These are eight appeals out of which four appeals bearing no. 909/24 to 912/24 are challenging the sealing action and the remaining challenging the demolition order dated 11.01.2008 passed in respect of unauthorized construction in the shape of one hall, two staircase and projections on municipal land at the ground floor, eight rooms, two lobby, two kitchens, two staircase, four bathrooms and projections at municipal land each, on the first and second floor in the property no. A-10, Rishi Nagar, Rani Bagh, New Delhi.

Contd...2/-

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2. The appellants who are concerned only about the ground floor have challenged the sealing action on the ground that the sealing has been done without any sealing order and the demolition order was passed within 3 days from the date of alleged service of the show cause notice dated 07.01.2008 stated to be pasted on 08.01.2008.
3. Ld counsel for the respondents on the other hand has stated that sealing action was taken in pursuance to an office order dated 25.08.2006 passed by the Commissioner, MCD giving powers to seal unauthorized construction to the Dy. Commissioners, Superintending Engineers to Jr. Engineers of the respective zones. It was further stated that the show cause notice u/s 344/343 of DMC Act was duly served through pasting and similarly the demolition order was also served through pasting and the appeals are time barred and further have no merits as the property was booked at the time of unauthorized construction.
4. I have perused the record. The subject property was booked vide show cause notice dated 07.01.2008 which was served through pasting on 08.01.2008 in the presence of two witnesses, namely, Om Prakash and Ashok. Except of the signatures of these two

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witnesses, their particulars are not mentioned in the show cause notice and there is no material to verify the identity of these two witnesses.

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

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

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

'It has been observed that the Executive Engineers of SDMC are passing demolition order/sealing order without verifying the service of show cause notice. The Appellate Tribunal has also observed that this is very careless
Contd...4/-

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attitude or some deliberate act to give benefit to the property owner as they knew very well that case will not stand to the scrutiny of the Court on this ground alone. Therefore, the Quasi Judicial Authority should ensure that service has been done properly before passing any order under DMC Act.

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

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

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

6. In these facts and in view of this circular, it cannot be said that the show cause notice dated 07.01.2008 was duly served.

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7. Further, the show cause notice is stated to be served on 08.01.2008 and the demolition order was passed on 11.01.2008 without even waiting for three days from the date of service of the show cause notice. The impugned demolition order therefore is liable to be set-aside as the Principles of Natural Justice were violated and no opportunity of reply and hearing was provided.
8. Coming to the sealing action. The office order issued by Commissioner, MCD gives power to the Dy. Commissioners till Jr. Engineers to seal the property but the sealing action must be in pursuance to a sealing order passed u/s 345A of the DMC Act by competent authority who is the Dy. Commissioner of the concerned zone. This office order dated 25.08.2006 cannot by pass the provisions of DMC Act which provides issuance and service of show cause notice followed by proper hearing and then the reasoned order. Even the sealing action is liable to be set-aside.
9. Coming to the aspect of the limitation. The demolition order dated 11.01.2008 was served through affixation in the similar manner as was the case of show cause notice. It was pasted in the presence of same witnesses Mr. Om Prakas and Ashok without their

Contd..6/-

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particulars and without any photographs and since there was no proper service of the demolition order, the period of limitation shall start from the date of knowledge which in the present case happened after filing of the office record in the appeals no. 909/24 to 912/24. Similarly, the limitation of challenging the sealing action shall start from the date of sealing which was 01.10.2024. In these facts, the delay is condoned.

10. In view of the above discussions, the demolition order dated 11.01.2008 as well as the sealing action are set-aside with directions to the respondent to pass a speaking order after considering the reply and documents to be submitted by the appellants and after giving personal hearing to the appellants. The appellants shall appear before the Quasi Judicial Authority on **28.09.2026 at 2.00 pm** and the speaking order be passed within 6 weeks of conclusion of the hearing. Let only the ground floor of the property be desealed within two weeks from today with directions to the appellants that they shall not create any third party interest in the ground floor of the property nor will part with the possession in favour of any third person till the Quasi Judicial Authority passes fresh order.

Contd..7/-

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11. 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
09.09.2026

A.No. 681/26

09.09.2026

Present : Sh. Umesh Pratap Singh, Ld counsel for the appellant joined through VC along with Sh. Pratyush Ranjan, Adv. Sh. Vijay Kumar, Ld. proxy counsel for Sh. Deepak Gaur, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy supplied.

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

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

At request, 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
09.09.2026

A.No. 687/26

09.09.2026

Present : Sh. Abhimanyu Mahajan. Ld. Senior Advocate joined through VC for the appellant along with Ms. Anubha Goel, Advocate in person,.
Sh. Ashutosh Gupta and Sh. Jasman Singh, Ld counsels for the respondent along with Sh. Ashok Kumar, ASO, Sh. S.K. Sharma, AE (EBR) and Ms. Ankita, JE (EBR)

Status report is filed by the MCD, copy supplied.

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

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

At request, put up for arguments on **03.11.2026**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 721/26

09.09.2026

Present : Sh. Jatin Chaudhary, Ms. Priyanka, Sh. Aryaman, Sh. Mayank, Ld counsels for the appellant along with appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

Part arguments heard.

Put up for further 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
09.09.2026

A.No. 784/26 & 785/26

09.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent.

Memo of appearance on behalf of the respondent/MCD filed and time sought to file the record.

Put up for awaiting record and arguments on **15.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 504/18 & 513/18

09.09.2026

Present : Ms. Ashu Arora and Sh. Vishal Sharma, Ld. counsel for the appellant.
Sh. Ravi Ranjan , Ld counsel for the respondent in appeal no. 504/18 joined through VC.
Sh. Ranjeet Pandey, Ld. counsel for the respondent in appeal no. 513/18 joined through VC.

Part arguments heard.

The respondent is directed to file the status report in respect of cut-off date of protection of the subject property under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 as to whether it is 01.06.2014 or 08.02.2007, on the next date of hearing.

Put up for awaiting the status report and further arguments on **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
09.09.2026

A.No. 195/20 & 196/20

09.09.2026

Present : Sh. Rakesh Tikku, Ld. Senior counsel joined through VC along with Sh. Lokesh Bhardwaj, Sh. Jatin and Ms. Geetika Ojha, Advocates for the appellant.
Sh. Nilesh Sawhney, Ld counsel for the respondent along with Sh. Ashok Kumar, ASO, NDMC.

A Writ petition is stated to be pending before the Hon'ble High Court and is now listed for 02.12.2026.

At request, put up for arguments as last and final opportunity subject to outcome of the aforesaid writ, on **16.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 18/23

09.09.2026

Present : Ms. Megha Barshalu, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Memo of appearance filed.

An adjournment is sought by the counsel for the appellant as she has recently been engaged and needs some time to file vakalatnama and to go through the record.

At request, put up for arguments on **09.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 69/23

09.09.2026

Present : Sh. Rohit Jain and Sh. Gaurav Jain, Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Varun Raghavan and Sh. Shivam Pal Sharma, Ld. counsels for intervener.

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.

...contd.2

Arguments heard on the applications seeking condonation of delay. There is no proof of service of the impugned demolition order dated 09.09.2022 on the appellant and the appeal was filed on 09.02.2023. Since, the demolition order was not properly service, the delay is condoned.

The applications stand disposed of.

Part arguments on appeal heard.

The record produced by the respondent relates to subsequent proceedings after the matter was remanded back by this Tribunal on 08.06.2022. The previous record of the original proceedings has not been produced which resulted in earlier demolition order dated 30.07.2020. MCD is directed to produce that record on or before next date of hearing.

Further, the property of the appellant was booked on the complaint of the ground floor owner/occupier, whereas the MCD record contains the photographs submitted by the appellant showing some unauthorized construction/encroachment on the ground floor of the subject property bearing no. Q-16A, Jungpura extension, Delhi. .

Let the MCD to file the status report in respect of any action being taken against the ground floor of the subject property, on the next date of hearing. ...contd.3

: 3 :

Put up for further arguments on **16.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 142/23 & 143/23

09.09.2026

Present : Sh. M.N. Siddique, Ld counsel for the appellant joined through VC.
None for the respondent.

None has appeared on behalf of the respondent despite service of fresh notice.

Notice be issued to CLO, MCD, who is directed to ensure the presence of the counsel on the next date of hearing.

Put up for arguments on **16.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

At this stage, Ms. Neha Saini, proxy counsel for Ms. Bhavya Chauhan, counsel for the MCD/respondent appeared and informed that main counsel is not well today. She is apprised about today's order and next date of hearing. In view of this, notice to the CLO need not to be issued.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 448/23

09.09.2026

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

Arguments on the applications u/s 5 of Limitation Act
heard.

Put up for orders on this application 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
09.09.2026

A.No. 512/23 & 870/25

09.09.2026

Present : Sh. D.K. Singhal, Ld counsel for the appellant.
Sh. Amit Kumar, Ld. counsel for the respondent in appeal no. 512/23.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 870/25.

Previous cost deposited.

An adjournment is sought by the Id counsel for the appellant that his maternal-aunt (Mami) has expired and he has to rush to the cremation ground.

At request, put up for arguments on **15.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 821/24 & 822/24

09.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Mehak Arora, Ld counsel for the respondent.
Ms. Afsar Bano, Ld. counsel for the intervener.

Arguments heard on the application u/s 5 of Limitation Act.

Put up for order on this application 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
09.09.2026

A.No. 316/25

09.09.2026

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

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

No adverse order is being passed today.

Put up for arguments as last and final opportunity on **18.12.2026**.

There is no protection to the subject property in the aforesaid appeal.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 336/25

09.09.2026

Present : Sh. Prashant Batra, Ld counsel for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent joined through VC.

The appellant has filed an application to implead his brother to the array of parties in the aforesaid appeal.

Let notice of this application be issued to the brother of the appellant/proposed respondent for **18.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 54/26

09.09.2026

Present : Sh. Hemant Sharma, Ld counsel for the appellant joined through VC.
Ms. Harita Mehta, Ld counsel for the respondent joined through VC along with Ms. Jyoti Kumar, Adv.
Sh. Shashank Shekhar, Ld. counsel for the intervener.

Status report is filed by the MCD in respect of Flat no. 81, copy supplied. As per this status report, the unauthorized construction in flat no. 81 has been given protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 on the ground that same exists prior to 08.02.2007.

The MCD is directed to produce the entire booking file of the Flat no. 81 on the next date of hearing.

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

Reply, if any, to this application be filed within 4 weeks with advance copy to the other side.

Put up for awaiting the booking file and arguments on application under Order I rule 10 CPC and appeal on **15.12.2026.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 57/26

09.09.2026

Present : Sh. Bijay Kumar, Ld counsel for the appellant.
Sh. Madan Sagar and Sh. Sourabh Pandey, Ld counsels
for the respondent.

Copy of the status report filed on the last date of hearing,
collected today by 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 **15.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 74/26 & 75/26

09.09.2026

Present : Sh. Vijay Sehgal and Ms. Yashika, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

The regularization application of the appellant stands rejected since 29.12.2025.

Ld. counsel for the appellant seeks time to advance arguments on the appeals.

At request, put up for arguments on **14.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 208/26

09.09.2026

Present : Sh. Shivam Chauhan, Ld counsel for the appellant joined through VC along with Sh. Gaurav, Adv.
Sh. V.K. Aggarwal and Sh. Ashutosh Gupta, Ld counsels for the respondent.
Intervener in person.

Ld. proxy counsel for the appellant has filed the complete copies of relinquishment deed and sale deed as directed on the last date of hearing. Copy supplied.

The matter is listed for arguments on the application seeking condonation of delay.

An adjournment is sought on behalf of the appellant as main arguing counsel is out of station.

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 reply and arguments on application under Order I rule 10 CPC and appeal on **16.12.2026**.

As the appellant is taking repeated adjournment on pretext and other, the interim stay granted to the appellant is hereby vacated.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 245/26

09.09.2026

Present : Sh. Rahul Malik, Id counsel for the appellant joined through VC along with Sh. Amardev, Adv.
Sh. Sagar Kumar, Ld counsel for the respondent joined through VC.

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

Ld counsel for the appellant seeks time to argue on the application seeking condonation of delay.

At request, put up for arguments on this application seeking condonation of delay on **30.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 293/26

09.09.2026

Present : Sh. Nitin Kumar, Ld counsel for the appellant joined through VC.
Sh. Sanjay Sethi, Ld counsel for the respondent joined through VC.

The record has already been deposited.

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

At request, put up for arguments on **17.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 327/26

09.09.2026

Present : Sh. M. Sufian Siddiqui, Sh. Rakesh Bhugra and Mohd. Mazhar Ahmad, Ld counsels for the appellant along with appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Vinod Dahiya and Sh. Pushkar Sharma, Id. counsel for the respondent no 2.

The respondent/MCD has filed the documents relating to the police aid sought for the month of October 2024. Copy supplied.

The respondent no. 2 intends to place on record structural stability report dated 04.09.2026, 01.09.2026 and 24.12.2024. No fresh document can be taken on record at this stage and the documents are returned to the counsel.

Further arguments heard.

At request, put up for orders 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
09.09.2026

A.No. 541/26

09.09.2026

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

At the request of ld. counsel for the respondent, who is not ready with the arguments today, put up for arguments on **09.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 702/26

09.09.2026

Present : Sh. Lalit, Ld. proxy counsel for the appellant.
Sh. Abheet Mangleek, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as father of the appellant is admitted in the hospital.

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 **07.12.2026**.

There is no protection in the matter.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 735/26 & 736/26

09.09.2026

Present : Sh. Lokesh Bhardwaj, Ms. Gitika Ahuja and Sh. Jatin Ld counsel for the appellant along with appellant no. 1.
Sh. V.K. Aggarwal, Ld. counsel 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.

Part arguments heard.

The appellant has claimed that the show cause notice under Section 338 of DMC Act dated 05.05.2026 was issued in the name of the previous owner despite the appellant purchasing the property in February 2026 by way of a registered Sale deed and same was also mutated in the property tax record in the same month.

The MCD record does not contain the documents related to this show cause notice. Let the complete record relating to the proceedings u/s 338 DMC Act be filed on or before the next date of hearing.

Put up for awaiting complete record and further arguments on **24.09.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026

A.No. 151/23

09.09.2026

Present : Sh. Parul Agarwal, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
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
09.09.2026

A.No. 772/26

09.09.2026

Present : Ms. Neha Kumar, Id. Proxy counsel for the appellant
joined through VC.
Sh. Abheet Mangleek, Ld counsel for the respondent.

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
09.09.2026