A.No. 920/26

22.09.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Deepanshi, Ld. proxy 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 **15.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 924/26
Krishna @ Kallo Vs. MCD

22.09.2026
Fresh appeal received. It be checked and registered.

Present : 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 **02.12.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. property bearing no. O-106, Aruna Nagar, Majnu Ka Tila, Delhi-110054 in pursuance of the demolition order dated 17.08.2026. 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
22.09.2026

A.No. 925/26
Sandeep Grover and Anr. vs. MCD

22.09.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Parul Agarwal, Ld counsel for the appellant.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **03.12.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. A-9, Hillview Apartment, Vasant Vihar, New Delhi in pursuance of the demolition order dated 10.08.2026. 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
22.09.2026

A.No. 926/26
Sumit Batra vs. MCD

22.09.2026
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 **09.12.2026**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Ground floor of shop no. 8, Sewa Nagar Market, New Delhi, in pursuance of the demolition order dated 17.08.2026. 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
22.09.2026

A.No. 928/26

Chhaya Gautam and Others vs. MCD

22.09.2026

Fresh appeal received. It be checked and registered.

Present : Appellant no. 1 in person.

Submissions heard. File perused.

This is an appeal challenging the notice passed u/s 348/349 of the DMC Act declaring the property as dangerous. The appeal against the said order is not maintainable before this Tribunal. The appeal is dismissed with liberty to challenge it before the appropriate forum as per law.

Appeal stands disposed of.

Appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 413/26 & 414/26

22.09.2026

Present : Sh. Kuldeep Kumar, Ld counsel for the appellant.
Sh. Ankit Singh, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent.

Status reports are filed by the MCD in both the appeals, copy supplied.

The record has been produced in both the 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 **27.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 740/26

22.09.2026

Present : Ms. Gurman Kaur Dua, Ld counsel for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record
Sh. Gursharan Singh, ld. counsel for the intervener.

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.

An application under Order I rule 10 CPC filed on behalf of the intervener. Copy already supplied to the appellant and supplied today in the court to the ld counsel for the respondent/MCD.

Reply, if any, to this application be filed within 4 weeks with advance copy to the counsel for the intervener.

At request, put up for arguments on the application under Order I rule 10 CPC as well as appeal 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
22.09.2026

A.No. 757/26
Reena Sharma Vs. MCD

22.09.2026

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

Status report is filed by the MCD, copy supplied.

The record has been produced.

Arguments heard. Record perused.

The appellant in this appeal has challenged the revocation order dated 11.08.2026 revoking the sanctioned building plan in respect of property bearing plot no. 01, Khasra no. 619/91 min. extended abadi of Lal Dora, Village Chhattarpur, Tehsil Saket, New Delhi.

Ld. counsel for the appellant has drawn my attention to the impugned order wherein the Quasi Judicial Authority has recorded that no reply from the applicant, who is appellant before me, was received.

Not only that the appellant has enclosed her reply dated 06.08.2026 with this appeal, the said reply is also available in the recorded produced by the respondent today running into 11 pages. The reply was submitted on 06.08.2026 well in time before the impugned order was passed on 11.08.2026. From the endorsement on the reply available in the office record, it appears that the

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R&D Department sent this reply to the concerned Executive Engineer only on 13.08.2026 which was received on 06.08.2026. Since, the reply was not considered nor opportunity of hearing, if warranted, was given to the appellant, the impugned revocation order is set aside with directions to the respondents to pass a speaking order after considering the reply dated 06.08.2026 and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The appellant shall appear before the Quasi Judicial Authority on 14.10.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

Appeal stands disposed of.

Record of the respondent is returned and appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 41/26 (M)

22.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC. Fresh Vakalatnama filed, same is taken on record.

It is stated for the respondent that the judgment of this court dated 16.04.2026 has been challenged by the respondent before the Appellate Authority, where notice of the application seeking condonation of delay in filing the appeal has been issued to the appellant herein for 07.10.2026 vide order dated 10.09.2026.

Ld. counsel for the applicant/appellant submits that since there is no stay in respect of the judgment dated 16.04.2026, the arguments should be heard on this application.

On the request of ld counsel for the respondent, put up for arguments after 07.10.2026, on **14.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 395/19
Mohd. Taqi Vs. MCD

22.09.2026

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

It is stated for the appellant that the appellant has passed away on 29.07.2026 and an application to implead the legal heirs has to be filed.

In fact put up for further proceedings 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/22.9.26

A.No. 727/14 : Raj Kumar Jain Vs. NDMC
A. No 752/14 : Mast Ram Chauhan Vs. NDMC

22.09.2026

Present : Sh. Hemant Kumar, Ld counsel for the appellant in appeal no. 727/14 joined through VC along with appellant.
Sh. T.D. Shukla, ld. counsel for the appellant in other appeal bearing no. 752/14 along with appellant.
Sh. Nilesh Sawhney, Ld counsel for the respondent along with Sh. Ashok Kumar, ASO, NDMC.
Sh. Ankit Gupta, Ld. counsel for the respondent no. 2.

Status report is filed in both the appeal by NDMC, copy supplied.

As per the status report, both the appellants have deposited the misuser charges as calculated by the respondent, but have not given their undertaking to stop the misuse.

Both the appellants are directed to furnish their undertaking with the respondent within a week from today to the effect that they shall not use the respective subject property for any other purpose except those permissible under MPD-2021. If the appellants failed to furnish the undertaking as directed, the respondent shall be at liberty to take action under the impugned sealing order.

Both the appeal stand disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 263/17 & 50/19

22.09.2026

Present : Sh. Vikhyat Oberoi, Ld counsel for the appellant joined through VC.
Sh. Jasman Singh Sethi, Ld counsel for the respondent joined through VC along with Sh. Ashok Kumar, ASO, NDMC.

Part arguments heard.

Admittedly, the appellant has deposited an amount of Rs. 5,31,750/- towards the compounding charges on 14.11.2003.

Ld counsel for the appellant has submitted that till date, the respondent has not clarified as to how this amount has been utilized by the respondent.

Ld counsel for the respondent has pointed out that this amount as per the compliance report was deposited towards the addition/alteration carried out at first floor and mezzanine floor.

Though, the compliance report states that this amount was deposited towards addition/alteration carried out at first and mezzanine floor, but the same does not mention that how the respondent has utilized this amount and under which Head this amount has been accounted for.

Let the status report be filed by the NDMC in respect of utilization of this amount in respect of the subject property on the next date of hearing.

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Put up for awaiting status report and arguments on **08.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 342/17
Amit Gupta Vs. MCD

22.09.2026

Present : Sh. Dalip Rastogi , Ld counsel for the appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent along with ld. proxy counsel.

Status report is filed by the MCD, copy supplied.

As per the status report, the subject property no. 9061/11, Naya Mohalla, Rambagh Road, Pul Bangesh, Azad Market Chowk, Delhi-10006 has now been regularized and the appellant has already paid the regularization charges.

Since the property has now been regularized, this appeal challenging the demolition order does not have any cause of action and same 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.

The respondent/MCD is directed to remove the booking of the subject property from the online portal of the MCD.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 318/19, 320/19, 321/19 & 391/19

22.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant in appeals no. 318/19, 320/19 & 321/19.
Sh. Ved Prakash Sharma, Ld. counsel for the appellant along with Ms. Bhumika Kapoor, Advocate.
Sh. Sahib Gurdeep Singh, ld. counsel for the respondents/MCD joined through VC.
Sh. Manaj Sarkar, Ld. counsel for the applicant/intervener in appeal no. 391/19.

It is stated by the ld counsel appearing for the intervener that the intervener has filed an SLP before the Hon'ble Supreme Court of India against the orders dismissing his application under Order I Rule 10 CPC and the proceedings before this Tribunal have been stayed by the Hon'ble Supreme Court of India during the hearing today itself.

Statement of the counsel for intervener recorded separately to this effect.

Since, the statement has been made by the counsel, put up for further proceedings awaiting further orders from the Hon'ble Supreme Court of India on **19.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 144/20

22.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. R.K.Singh, ld. counsel for the intervener/applicant.

Ld. counsel for the intervener has placed on record copy of the order passed by the Hon'ble High Court in RFA no. 396/2024 dated 17.04.2026 which was in respect of an appeal against a judgment and decree dated 15.05.2024 passed by the ld. trial Court in favour of the appellant herein.

The Hon'ble High Court has set aside the judgment in favour of the appellant and the Hon'ble Supreme Court of India has upheld the order of the Hon'ble High Court subject to the intervener depositing an amount of Rs. 20 lacs within 4 weeks from 31.08.2026.

As per these judgments, the intervener is the owner of a shop at ground floor subject to deposit of this amount.

MCD has filed status report as per which the regularization application has been rejected on 21.09.2026. Copy of the order is annexed with this status report. Copy supplied.

Though, the appellant is required to file fresh appeal against the rejection order. However, I have perused the rejection order. The respondent in this order has mentioned about certain projections on the front side and

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partly on the side lane near stair case which have been disputed by the appellant.

The respondent is directed to reopen the regularization application and physically inspect the property and inform the appellant about the said projections to enable the appellant to demolish the same, if required. Further, respondent is directed to provide personal hearing to the appellant in respect of the variations alleged to be stated to the existing size of the property and the size mentioned in the documents.

Let the same be done within 4 weeks from today and fresh status report be filed by the MCD regarding regularization application of the appellant, on next date of hearing.

Put up for awaiting the status report and 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
22.09.2026

A.No. 407/20 & 295/21

22.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 407/20 along with Sh. Manoj Kumar, AE(B).
Ld. Proxy counsel for Sh. Ranjeet Pandey, Ld. counsel for the respondent in appeal no. 295/21.

Status report is filed by the MCD, copy supplied.

An Invalid Notice dated 18.09.2026 has been issued to the appellant which was received yesterday. Though, the appellant claims that the structural stability certificate was already submitted, yet to avoid any further delay, let the same be submitted afresh.

Put up for awaiting fresh status report and arguments on **08.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 133/21

22.09.2026

Present : Sh. Ramesh Kumar, Ld counsel for the appellant.
Sh. V.K. Aggarwal and Sh. H.R. Aggarwal, Ld counsel for the respondent.
Status report is filed by the MCD, copy supplied.

As per this status report, a notice dated 17.08.2026 and reminder dated 21.09.2026 was issued to the appellant which has not yet been complied.

I have gone through these two notices. As per these notices, the Town Planning Department has observed that in the absence of site verification of the plot/location plan and Zonal Development Plan of the area along with existing width of the abutting road, comments cannot be provided.

The respondent should have all these details as Zonal Development Plan will reflect the existing width of the abutting road and the site verification can also be done by the respondent itself. The appellant is not supposed to provide the Zonal Development Plan to the respondent.

Let notice be issued to the Chief Town Planner and AE(B) concerned to be present in the court to explain as to why these documents and details have been sought from the appellant, for next date of hearing.

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
22.09.2026

A.No. 56/23

22.09.2026

Present : Sh. Sunil Chauhan, Ld counsel for the appellant joined through VC.
Sh. Ankit Singh, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent.

Part arguments heard.

An adjournment is sought on behalf of the respondent as main counsel Ashutosh Gupta is held up before Saket court in some urgent matter.

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

Put up for arguments on **27.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 362/23

22.09.2026

Present : Sh. Ishan Parashar, Ld counsel for the appellant joined through VC.
None for the respondent/MCD.
Sh. Shamsher Singh, husband of R-2 in person.

None is present for the MCD despite calls and despite service of fresh notice.

No adverse order is being passed today.

Fresh notice be issued to the CLO, MCD for ensuring the presence of the counsel on the next date of hearing.

Put up for arguments on **19.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 148/24 & 149/24

22.09.2026

Present : Sh. Anil Kumar, Ld counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent joined through VC in appeal no. 148/24.
Sh. Ankit Singh, ld. proxy counsel for Sh. Ashutosh Gupta, counsel for the respondent in appeal no. 149/24.

Status report is filed by the MCD, copy supplied.

As per the status report, the regularization application has not yet been filed by the appellants.

Ld counsel for the appellant has stated that property has now been registered under PM Uday Yojna and the appellants shall now apply for regularization. Copy of the said registration is placed on record.

At request, put up for further proceedings/arguments on 29.01.2027.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 210/24

22.09.2026

Present : Sh. S.B. Pandey, Ld counsel for the appellant.
Sh. Gulshan Tyagi, Ld counsel for the respondent.

Ld counsel for the respondent seeks time to file the status report regarding the regularization application of the appellant.

At request, put up for awaiting the status report and arguments on **29.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 249/24

22.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Akash Chatterjee, Ld counsel for the respondent joined through VC.
Ms. Ashi Nigam and Ms. Rashmi Gaur, ld. counsels for the intervener.

Ld. counsel for the appellant seeks time to inspect the record and to argue the matter as there are two records of the MCD.

At request, put up for arguments on **28.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 250/24

22.09.2026

Present : Sh. Sharad Bhatia, Ld counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent joined through VC.

An adjournment is sought by ld counsel for the appellant as certified copy of the record was received yesterday only and he needs some time to go through the same.

At request made by ld counsel for the appellant, put up for arguments on **29.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 407/24, 408/24 & 409/24

22.09.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant along with the appellant.
Sh. Ashutosh Gupta, counsel for the respondent along with Sh. Anil Mittal, the then AE(B).
None for the intervener.

Arguments heard on the application seeking condonation of delay in filing appeals No.407//24 and 408/24.

Put up for orders on 05.10.2026.

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

Ld. counsel for the appellant seeks time to argue the appeal No.409/24.

At request, put up for arguments on **22.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 485/24 & 486/24

22.09.2026

Present : Sh. Kunal Mittal, Ld counsel for the appellant along with AR for the appellant.
Sh. Ankit Singh, ld. proxy counsel for Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments on behalf of the appellant heard.

The appellant has claimed that the construction is old and prior to the cutoff date of protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. The property tax return filed by the appellant for the year 2005-2006 at running page 104 of the appeal shows that the covered area at the basement is 501.67 sq.mtrs., at ground floor and first floor each is 488.66 sq.mtrs. and at the second floor is 471.93 sq.mtrs. However, as per the affidavit of the appellant filed with the appeal containing details of the construction are 740.37 sq.mtrs at the basement, 579.34 sq.mtrs each at ground and first floor and 166.34 sq.mtrs at the second floor. The construction shown in the affidavit is much more than the construction reflected in the property tax return.

There is no status report filed by the MCD in respect of the covered area existing in the property as on today. MCD is directed to physically inspect the property and file status report in respect of the covered area existing at

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each floor of the property with rough sketch and photographs. The appellant shall cooperate in this inspection and shall permit inspection to be done on every floor of the property.

Let the inspection be conducted on 06.10.2026 at 2.00 p.m. and status report be filed on or before the next date of hearing.

Put up for awaiting the status report and arguments on **13.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 882/24, 924/24 & 929/24

22.09.2026

Present : Sh. K.N. Singh, Ld counsel for the appellant in appeals no. 882/24 & 929/24.
Sh. Anil Sharma, ld counsel for the appellant in appeal no. 924/24.
Sh. Dharamvir Gupta ld counsel for the respondent in appeal no. 882/24.
Sh. V.K. Aggarwal, ld counsel for the respondent in appeal no. 924/24.
Sh. Ankit Singh, Ld. proxy counsel for Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 929/24.

Part arguments heard.

The respondent vide show cause notice dated 08.05.2024 has booked the unauthorized construction in the shape of additional staircase at ground and first floor followed by the demolition order dated 12.09.2024 which has been challenged in appeal no. 882/24 in respect of property no. SU-140, Pitam Pura, Delhi.

The respondent is directed to file the status report as to whether this internal staircase is compoundable or not irrespective of any other unauthorized construction existing in the property.

The other two appeals are in respect of demolition order dated 11.10.2024 passed in respect of unauthorized construction in the shape of deviations/excess coverage and projection on Govt. land against the sanctioned

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building plan dated 23.03.1989 from ground to second floor.

The respondent is directed to inspect the property and to file the status report in respect of exact deviation/excess coverage floor-wise as one appellant Yogesh Gupta is concerned about ground and first floor whereas the appellant Karamjit Saini is concerned about the second floor and terrace. The status report should contain the rough sketch. The appellant shall cooperate in this inspection.

Put up for awaiting status reports and further arguments on **12.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 339/25

22.09.2026

Present : Sh. Anil Goel, Ld counsel for the appellant.
None for the respondent.

None has appeared for the respondent despite repeated calls since morning. Even none has appeared for the respondent even on the last date of hearing.

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.

Put up for arguments on **29.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 380/25

22.09.2026

Present : Sh. Ashish Chaudhary, Ld. Proxy counsel for the appellant along with appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.
Intervener in person.

An adjournment is sought on behalf of the appellant as main counsel Sh. Harish Kumar has gone to hospital due to ill-health of his mother.

The intervener claims that the appellants have tampered with the seal. MCD is directed to file the status report in this regard.

The appeal further shows that the only prayer in the appeal is to deseal the property without seeking setting aside the sealing/demolition order. The appellant is directed to explain as to how the present appeal is maintainable in the present form.

At request, put up for arguments on **28.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 465/25

22.09.2026

Present : Ms. Deep Mala Kumari, Ld counsel for the appellant.
Sh. Saurav Bhasin, Ld counsel for the respondent joined through VC.

Rejoinder filed by the appellant to the reply of the respondent. Copy supplied.

An adjournment is sought on behalf of the appellant as main counsel Sh. Charanjeet Sharma is not available today due to demise in his family.

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 **08.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 548/25

22.09.2026

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

Written arguments filed by the intervener. Copy supplied.
Ld. counsel for asp has also filed photographs as per last order.
MCD has not filed the photographs as directed,
Arguments heard.
Ld. counsel for the appellant seeks liberty to file written arguments. Let the same be filed with advance copy to the Ld. counsel intervener as well as MCD.
Put up for further arguments on **29.10.2026**.
Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 774/25 & 775/25

22.09.2026

Present : Sh. Manoj Sharma, Ld counsel for the appellant.
Sh. Sagar Kumar, ld counsel for the respondent.

Ld. counsel for the appellant seeks time to file the vakalatnama and to take steps to amend these appeals. Let the needful be done.

Put up for further proceedings/arguments on **03.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 790/25

22.09.2026

Present : Sh. Sushil Kumar, ld counsel for the appellant joined through VC along with Ms. Vasu Gupta, Ld. proxy counsel for the appellant.
Sh. Sidhi Arora, Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel, who is appearing through VC, but not clearly audible, on the ground that he could not collect the legible copies of the documents from the appellant.

Same is strongly opposed as the appellant was directed to supply the legible copies of the documents on that day itself which was 08.06.2026.

More than 3 months have passed since last date of hearing and the appellant should have provided these documents to the counsel for the respondent. Otherwise also, non-receipt of documents from the appellant, is no ground for adjournment.

However, 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 **07.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 819/25

22.09.2026

Present : Sh. Nilesh Sawhney and Sh. Sagar, Ld counsels for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent.

Ld counsel for the appellant has placed on record the affidavit of existing construction, site plan and the sanctioned building plan dated 16.05.1994 of the property bearing no. C-226, Nirman Vihar,Delhi. Copy supplied.

The appellant is concerned only about the ground floor and states that the utility room and the toilet existing in the rear set-back are old and protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and only certain repairs were carried out in the utility room.

The respondent is directed to physically inspect the property and to file the status report with respect of excess coverage/deviations at the ground floor only of this property in comparison to sanctioned building plan dated 16.05.1994, on next date of hearing.

Put up for awaiting status report and arguments on **19.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 135/26

22.09.2026

Present : Sh. Arun Kumar, Ld. Proxy counsel for the appellant.
Ms. Deepika Kumari, Ld counsel for the respondent/ MCD joined through VC.
Ms. Mala Goel, Ld. counsel for the intervener.

It is stated by the ld counsel for the appellant that he has not received the copy of the application under Order I rule 10 CPC.

The ld. counsel for the intervener has shown me the speed post receipt and the track consignment report. The copy was sent on 14.07.2026 and was duly delivered on 15.07.2026 and as such, the submissions of ld counsel for the appellant that he did not receive the copy, is incorrect.

Further adjournment is sought on behalf of the appellant as main counsel Sh. Sumit Gaba is not well today.

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 **07.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 160/26 & 656/26
Gyanwati Vs MCD
22.09.2026

Present : Sh. Kislaya Parashar, Ms. Sonu Gautaam and Sh. Ankit Kumar, Ld counsels for the appellant.
Sh. Atul Tanwar, Ld counsel for the respondent in appeal no. 656/26 joined through VC.
Sh. Ashutosh Gupta, ld. counsel for the respondent in appeal no. 160/26.

Status report is filed by the MCD, copy supplied.

Appellant has filed affidavit to the effect that there is no person named Kiran in her family. She has also filed an electricity bill to show that the property was duly occupied when the show cause notices were allegedly served through pasting.

Arguments heard. Record perused.

The appellant has challenged the demolition order dated 01.04.2025 and the sealing order dated 22.04.2025 passed in respect of the property No.27, in front of property No.35, Jatav Mohalla, Mahipalpur, New Delhi on the ground that none of the show cause notices were served upon the appellant. As per MCD record the show cause notice u/s 344/343 of DMC Act dated 11.03.2025 was served through pasting. There is no proof of service of show cause notice u/s 345A DMC Act dated 04.04.2025. There are no photographs nor any witnesses to the service through pasting.

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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 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*

Contd…3…

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."

In these facts, the demolition order dated 01.04.2025 and sealing order dated 22.04.2025 are set aside with directions to the respondent to pass a fresh speaking order after considering the documents and reply to be submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on **12.10.2026 at 2.00 pm** and the speaking order be passed within 6 weeks of conclusion of the hearing.

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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
22.09.2026

A.No. 172/26
22.09.2026

Present : Sh. Pushkar Aryal, Ld. counsel for the appellant joined through VC.

Sh. Sagar Kumar, Ld counsel for the respondent.

Arguments heard on the application seeking condonation of delay of about a year in filing this appeal against the demolition order dated 24.01.2025 and the appeal being filed on 25.02.2026. The appellant claims that she was out of country from 06.02.2025 till 24.11.2025 and after returning to India she underwent spine surgery and was confined to bed from 28.11.2025.

The appellant has not been able to explain the delay between 24.01.2025 till 06.02.2025. She admitted that she gave reply to the demolition order on 17.02.2025 stated to be sent from Sweden. Though the appellant has not been able to explain the entire period between 24.01.2025 till 25.02.2026, however, with an endeavour to decide the appeal on merits the delay is condoned subject to cost of Rs.10,000/- to be deposited with the Registry of this Tribunal.

Put up for arguments on appeal on **20.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 390/26

22.09.2026

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

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

Fresh notice be issued to the MCD for ensuring the presence of the counsel on the next date of hearing.

Put up for arguments on **27.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
22.09.2026

A.No. 735/16 & 23/18

22.09.2026

Present : Ms. Sana Ansari, Ld. counsel for the appellant joined through VC. and Sh. I. Ahmad, Ld. counsel for the appellant in the Court.

Sh. R.K. Kashyap, Ld counsel for the respondent joined through VC.

Ld. counsel for the appellant seeks adjournment on the ground that the counsel Ms. Sana Ansari is having high BP. Same is strongly opposed as the appeals are pending since 2016 & 2018 and the appellant is enjoying the benefit of interim protection.

Arguments were advanced at length on the last date of hearing as well. These are old appeals and no further opportunity can be granted.

Arguments heard.

Vide separate common judgment of even date, the present appeals are dismissed.

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
22.09.2026