A.No. 929/26

23.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Chanderjit Yadav, Ld counsel 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).

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**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 930/26

23.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Deepak Kumar Aggarwal, 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 **01.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 932/26
Sumit Batra Vs. MCD

23.09.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Sunil Chaudhary, 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 and first floor of Shop no. 23, 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
23.09.2026

A.No. 933/26

23.09.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Nirmit Gaur, Ld counsel for the appellant.

Submissions heard. File perused.

There is a delay of around 7 months in filing this appeal. No case for interim protection is made out at this stage.

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 **05.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 752/25

23.09.2026

Present : Sh. Ashutosh Gupta, ld. counsel for the applicant/respondent.

File is taken up today on an application of early hearing filed on behalf of the respondent.

Let notice of this application be issued to the appellant for **01.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 880/25

23.09.2026

Present : None for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent joined through VC along with Ms. Gargi Sharma, Adv.

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

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 to the appellant 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
23.09.2026

A.No. 345/26

23.09.2026

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

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 **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
23.09.2026

A.No. 427/26

23.09.2026

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

Status report is filed by the MCD, copy supplied.

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

An adjournment is sought on behalf of the appellant as main counsel Sh. Arpan Rathore is not available due to severe cardiac arrest.

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 **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
23.09.2026

A.No. 249/07

23.09.2026

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

Ld. counsel for the MCD seeks some more time to file the notification. It is further stated for the MCD that under MPD-2047, the entire village Tikri Kalan has been declared as green belt area and no construction activity is permissible in green belt area.

At request, put up for producing the notification and arguments on **28.09.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 575/26

23.09.2026

Present : Dr. Gaurav Manuja, Ld counsel for the appellant joined through VC along with Sh. Akshay Dua, Adv. in person
Sh. Reshul Mittra, Ld. proxy counsel for Sh. Yusuf Jawed, counsel for the respondent joined through VC along with one proxy counsel.

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.

The appellant has filed the copy of the sanctioned building plan. Let the soft copy of the same be also supplied to the ld counsel for the respondent.

An adjournment is sought on behalf of the respondent as main counsel is not available today because of swine-flu.

At request made by ld. proxy counsel for the respondent, put up for argument 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
23.09.2026

A.No. 606/26

23.09.2026

Present : Sh. Nikhil Bahri, Ld counsel for the appellant joined through VC.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.

Status report is filed by the MCD, copy placed on record.

Ld. counsel for the appellant seeks pass over in the matter as he is held up in traffic. In view of the heavy cause list, the pass over is not possible.

This appeal has been filed against the sealing 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.

Let the appellant to take decision as to which order shall be assailed in this appeal.

Ld. counsel for the respondent seeks time to file the reply to the application seeking condonation of delay which is around 2000 days. Let the same be filed with advance copy to the ld counsel for the appellant.

Record be also submitted on the next date of hearing.

Put up for awaiting record and reply and arguments on the application seeking condonation of delay 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
23.09.2026

A.No. 645/26 & 364/25

23.09.2026

Present : Sh. Manudev Arya, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Faiz Ahmad, AE(B).
Ms. Isha Gupta, ld. counsel for the proposed intervener.

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

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

There is no interim protection in the matter. The MCD is at liberty to take action as per law.

Put up for arguments on **22.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 733/26

23.09.2026

Present : Sh. Harsh Malik, Ld counsel for the appellant joined through VC. .
Sh. V.K. Aggarwal, Ld counsel for the respondent along with Sh. J.S. Khatri, AE(B), Narela Zone. Fresh Vakalatnama filed, same is taken on record

Status report is filed by the MCD, copy placed on record.

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

It is stated for the appellant that regularization application has been rejected and appellant shall file a fresh appeal against that order.

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

Ld counsel for the respondent also seeks time to file the reply to the application seeking condonation of delay, which is more than one year. Let the same be so filed with advance copy to the ld counsel for the appellant.

At request, put up for reply and arguments on the said application seeking condonation of delay 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
23.09.2026

A.No. 781/26

23.09.2026

Present : Sh. Anand Awasthi, Ld counsel for the appellant.
Sh. Abheet Mangleek, 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 with other connected appeals bearing no. 782/26 & 783/26 on **02.11.2026**.

Till then, status quo in respect of the subject property be maintain by both the parties. 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.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 789/26
**Subhash Chand Sethi & Anr. Vs. MCD**

23.09.2026

Present : Ms. Nitika Kumar, ld. proxy counsel for Sh. Shiv Charan Garg, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

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

Arguments heard on interim application.

1. The appellant has challenged the demolition order dated 13.08.2026 passed in respect of unauthorized construction in the shape of entire ground, first and second floor (reconstruction done at first and second floor) in property no. 3080, Ram Bazar, Mori Gate, Delhi-110006.
2. The appellant has argued that the construction is old as reflected in the sale deed of the appellant and no fresh construction has been carried out except of repairs in dilapidated property and therefore the demolition order should be stayed till decision of this appeal. Reliance has been placed on the electricity

Contd…2/-

bills to show that the construction is existing prior to 08.02.2007.

3. Ld counsel for the respondent/MCD on the other hand has argued that the concerned JE(B) has taken photographs at the time of unauthorized construction being raised by the appellant and the plea that the construction is old and protected is without any merits and no interim protection can be granted.
4. I have perused the record. The photographs available in the office record clearly shows that the appellant after leaving an old front portion of 5'X12' has reconstructed the entire first and second floor which has been booked by the MCD. This is a case of reconstruction of the first and the second floor as well as stairs at ground floor. The complainant Rajeev Bajaj also filed a civil suit on 09.06.2026 claiming fresh unauthorized construction raised in the property.
5. The appellant has failed to show a prima-facie case in his favour, the interim application is dismissed.
6. Nothing said hereinabove shall tantamount to have any expression on the merits of the case.

Put up for arguments and appeal on **28.01.2027.**

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 839/23
**Mithlesh Yadav Vs. MCD**

23.09.2026

Present : Ms. Diksha Barrot, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

Arguments heard at length.

1. The appellants have challenged the demolition order dated 30.05.2023 passed in respect of unauthorized construction from ground to fourth floor in property no. T-256 and T-256-A, Baljeet Nagar, New Delhi. They are concerned about the third floor of property no. T-256-A and ground, first, second and third floor of T-256.
2. The appellants have challenged the orders primarily on the ground that the construction is old and prior to 01.06.2014 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. It was argued for the appellants that the fourth floor has already been demolished and they are not seeking protection of the construction at the terrace of the third floor and the construction upto third floor in T-256 and of the third floor in T-256-A is protected under this Special Act.

Contd…2/-

3. Ld counsel for the respondent on the other hand has stated that the property tax return relied by the appellants were filed in 2021-2022 and cannot be considered to hold that the construction is prior to 01.06.2014 and therefore there is no material on record to show that the property was constructed prior to this date or is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 and therefore the appeal should be dismissed.
4. I have perused the record. The respondent booked the unauthorized construction vide show cause notice dated 22.05.2023. The FIR itself records that ground to third floor are residentially occupied and the fourth floor is newly constructed. This clearly shows that new construction was raised only at the fourth floor and the remaining floors were already existing at the time of booking.
5. As per the property tax return for the year 2021-2022, the covered area from ground to third floor is 60 sq. mtr. with age factor as 2009. Though, this property tax self-assessment form relied by the appellants is of the year 2021-2022, but the same is prior to the booking dated 22.05.2023. The appellants could not

Cond…3/-

have apprehended in 2021-2022 that the same shall be booked in 2023. This PTR clearly shows that the covered area of 60 sq. mtr is existing since 2009. As per status report filed today by the respondent the covered area at the ground floor is 44.62 sq. mtr. approximately and 47.54 sq. mtr. each at second and third floor. It means that the covered area existing in the property as on date is less than the covered area shown in the PTR.

6. Further, the photographs available in the office record show that fresh unauthorized construction was raised at the terrace of the third floor and the ground to third floor are old and occupied.
7. The construction from ground to third floor was existing prior to 01.06.2014 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011. However there is no protection to the construction at fourth floor.
8. In these facts, the demolition order is upheld as there is no sanctioned building plan, but is kept in abeyance for ground to third floor. Respondent shall be at liberty to take action at ground to third floor once this act is ceases to be enforce.

Contd…4/-

9. There is no protection to the fourth floor which is liable to be demolished forthwith.
10. The appeal stands disposed of.
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
23.09.2026

A.No. 82/21

23.09.2026

Present : Sh. Sahil Gupta, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Ms. Kavita, Ld. proxy counsel for respondent no. 2.

It is stated by the ld counsel for the appellant that the Registry has refused to provide the certified copy of the sanctioned building plan because of the size of the sanctioned building plan.

The registry is directed to provide the certified copy of the same subject to payment of requisite charges, to the appellant.

At request, 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
23.09.2026

A.No. 385/22, 702/24 & 703/24

23.09.2026

Present : Ms. Vashu Gupta, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 385/22.
None for the respondent in appeal no. 702/24.
Sh. Ashutosh Gupta, Ld. counsel for the respondent in appeal no. 703/24.

An adjournment is sought by the ld counsel for the appellant as the appellant is not well and the entire case file is with the appellant.

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 **29.01.2027**. It is made clear that no further opportunity shall be granted on the date fixed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 40/24

23.09.2026

Present : Sh. Suhail Azhar, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. Vijay Kinger, Ld. counsel for the interveners/ applicants.

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

Coming to the application seeking condonation of delay in filing this appeal. The appellant has challenged demolition order dated 23.08.2023 and the appeal was filed on 22.01.2024 and the condonation of delay has been sought on the ground that the demolition order was received on 04.01.2024 through whatsapp. However, it is not mentioned that who sent the whatsapp message to the appellant and why the appellant did not file the appeal even within the period of 6 days from 04.01.2024.

The record however shows that the demolition order was duly served through pasting on 31.08.2023 and the demolition action was taken on 06.12.2023. Even if, the demolition order served through pasting was not received as alleged by the appellant, he had the knowledge of the demolition order at least from 06.12.2023 when the partial demolition action was taken.

The appellant has not been able to explain the delay from 06.12.2023 till 22.01.2024 which is of around 40 days from this date. Otherwise, demolition order was duly served through pasting on 31.08.2023. However, infacts, the delay is condoned subject to cost of Rs. 5,000/- to be deposited with the Registry.

Part arguments heard on the appeal.

….contd.3

The appellant claims that the construction of the shops is old and protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 being prior to 01.06.2014.

The intervener has placed on record two sale deeds executed by the appellant of the subject property both dated 13.12.23 wherein the appellant has shown the subject property as vacant plot. The appellant has made false averments in this appeal to the effect that the construction is old and protected as in the sale deeds executed subsequently, the property has been shown as vacant plot.

Let the appellant be present in the court in person on the next date of hearing to explain as to why a criminal complaint for an offence of perjury should not be directed to be lodged against him for deliberately making false submissions in the court.

Put up for appearance of the appellant and further 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
23.09.2026

A.No. 353/24, 168/26 & 169/26

23.09.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, counsel for the respondent in appeal no. 353/24.
Sh. Abhishek Sharma, ld. proxy counsel for respondent in appeal no. 168/26.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent in appeal no. 169/26.

Status report is filed by the MCD, copy supplied.

As per the status report, the amalgamation of structure no longer exist at any floor in the two properties No. FA-39 and FA-40, Abul Fazal Enclave, Part-1, Jamia Nagar, New Delhi.

These are three appeals and the appeal No.353/24 is against the demolition order dated 11.11.2022 ; whereas the appeal No.168/26 is against the sealing order dated 21.12.2023 passed in pursuance to the demolition order ; whereas appeal No.169/26 is against the sealing order passed alleging misuse in the two properties.

Part arguments heard on these appeals.

The appellant is running a clinic/nursing home from the subject property and is ready to pay the misuser charges if this activity is not permissible and is ready to pay registration/parking/conversion or any other charges etc. if this activity is permissible.

….contd.

Let the MCD to file status report in respect of misuser charges if this activity is not permissible and if the same is permissible, the appellant shall approach the respondent to pay the all other charges in respect of using this property for this purposes.

Put up for awaiting status report and further arguments on **08.10.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 356/24
Ved Parkash Vs.MCD

23.09.2026

Present : Sh. Kuldeep Singh, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Arguments heard.

The respondent vide show cause notice dated 23.01.2024 booked the unauthorized construction from ground to third floor with projections on municipal land in property no. H-13, Main Market, Laxmi Nagar, New Delhi. It was followed by the demolition order dated 06.02.2024.

The appellant claims that neither the show cause notice nor the demolition order was served and further the construction being old prior to 08.02.2007 is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

Ld counsel for the respondent/MCD on the other hand argued that the show cause notice was duly replied by the appellant and thereafter the demolition order was passed and the title documents of the appellant dated 03.08.2022 show that the property was having only ground and first floor on that day which has now been constructed upto 3rd floor.

I have perused the record.

…contd.2

The show cause notice dated 23.01.2024 was duly served upon the appellant as per the Track Consignment Report available at page 8/C of the record. The appellant also gave reply to the show cause notice available at page 120/C of the office record and therefore, the contention that show cause notice was not served, is not factually correct. The show cause notice was duly replied by the appellant.

Now coming to the merits of the appeal, the sale deed in favour of the appellant dated 03.08.2022 as well as the entire chain of documents prior to that show that it was only a double storey property having ground and first floor as on 03.08.2022. The appellant has unauthorizedly constructed the second and third floor as well and since the same were subsequent to 03.08.2022, cannot be protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 wherein the cut-off date for protection is 08.02.2007. Even the property tax documents do not show existence of second and third floor prior to this cut-off date.

In view of the above, the appeal is devoid of any merits and is hereby dismissed.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 679/24
Anuj Tyagi Vs. MCD

23.09.2026

Present : Sh. Sandeep Tyagi, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent. Fresh Vakalatnama filed, same is taken on record
Sh. Vijay Joshi, ld counsel for the intervener joined through VC along with Sh. Kuldeep Singh.

Arguments heard on the application under Order VI rule 17 CPC filed by the appellant seeking amendment in the prayer clause of the appeal no. 679/24 wherein inadvertently, instead of sealing order, notice was challenged. Since the amendment sought is formal and is not opposed, the same is allowed. The amended appeal is taken on record. The application stands disposed of.

The appellant has placed on record the copy of the judgment dated 07.08.2013 passed by the Ld. Rent Controller in an eviction petition filed against the father of the appellant as well as order passed by Rent Control Tribunal against this judgment of Rent Controller.

Copy supplied.

Arguments heard.

The appellant, who is a tenant, at ground floor shop of property no. H-13, Laxmi Nagar, Delhi, has challenged the sealing order dated 13.05.2024 on the ground that show cause notice was not served upon him and further,

....contd.2

the construction of his shop is prior to 08.02.2007 which was not even touched by the respondent no. 2 when he raised unauthorized construction in the remaining portion and floors of the property.

Same has been opposed by the ld. counsel for the MCD as well as respondent no. 2. It was argued that since the demolition order has been upheld, a challenge to the sealing order should be dismissed as the sealing order is a consequence of demolition order.

I have perused the judgment passed by Ld. Rent Controller in Eviction petition filed against the appellant which was filed on 14.12.2004. In that eviction petition, the eviction was sought on the ground that the appellant has included the veranda in the shop and has caused substantial damage to the premises. This eviction petition was dismissed on merits and the appeal was also dismissed by the Ld. RCT.

The photographs filed by the appellant clearly show that the landlord/respondent no. 2 raised construction in the remaining portion and upper floors of the property by casting a fresh linter at first floor and a gap of around 1 and 2 feet was kept between the roof of the shop and the linter of the first floor. The subject shop was not disturbed and as per the eviction petition filed in 2004 is existing prior to 08.02.2007.

.....contd.3

However the sealing order is in respect of the entire property including the shop of the appellant.

In view of this discussion, the sealing order is upheld for the entire property no. H-13, Laxmi Nagar, Delhi, but is set aside in respect of the shop of the appellant at ground floor till the linter point.

However, it is important to note that the show cause notice was duly served upon the landlord/respondent no. 2, but was not replied by him.

The appeal is allowed and the shop of the appellant be desealed within 2 weeks from today.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 572/24

23.09.2026

Present : Sh. Devender Kumar, Ld counsel for the appellant.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent.

This appeal has been filed against the sealing 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 for demolition order and this appeal may be treated only against the sealing order and he be given liberty to file separate appeal against the demolition order as per law.

In view of the submission made by ld. counsel for the appellant, now this appeal is treated only against the sealing order. Appellant is at liberty to file appeal against the demolition order as per law.

At request, 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
23.09.2026

A.No. 833/24
Kavita Vs. MCD

23.09.2026

Present : None for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Despite various calls none is appearing on behalf of the appellant in the Tribunal or through VC.

Put up at 2.00 PM.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD/23.09.26

At 2.35 pm
Present : None for the appellant.
Sh. Ashutosh Gupta, ld counsel for the respondent.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls. None had appeared on behalf of the appellant on the previous date as well.

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
23.09.2026

A.No. 928/24

23.09.2026

Present : Sh. Noorain Javed, Ld. proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

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

At request, put up for arguments on **19.01.2027**.

There is no interim protection in the matter.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 937/24

23.09.2026

Present : Sh. Mohit Kumar, Ld. proxy counsel for the appellant.
None for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Sh. Vineet Jain is held up before Hon'ble High Court.

Perusal of the record shows that the appellant is seeking repeated adjournments on one pretext and other.

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

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
23.09.2026

A.No. 983/24

23.09.2026

Present : Sh. Mahesh Kumar Patel, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

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

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

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
23.09.2026

A.No. 375/25
Sandeep Pandey Vs.MCD

23.09.2026

Present : Sh. Pushkar Aryan, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
None for the intervener.

Application under order 1 Rule 10 CPC perused. 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

Part arguments heard on appeal.

Put up for 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
23.09.2026

A.No. 679/25

23.09.2026

Present : Sh. Umesh Kumar, Ld counsel for the appellant along with appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

The appellant has filed an application to place on record copy of the writ petition filed by Kuldeep/complainant copy supplied. Without prejudice to the rights of the respondent, the same are taken on record.

It is stated for the appellant that she applied for regularization last year on 08.09.2025 and the regularization application is still pending. Copy of the application filed.

Let the respondent file status report in respect of regularization application.

Put up for awaiting status report 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
23.09.2026

A.No. 791/25

23.09.2026

Present : Sh. Sharvan, Sh. Shabuddin, Ms. Aishwarya Agnihotri, Ld counsels for the appellant.
Sh. Sunil Kumar, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Copy of the Status report supplied today.

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

This appeal has been filed against the show cause notice which is not appealable before this Tribunal.

Ld. counsel for the appellant seeks time to take appropriate steps. Let the steps be taken within 4 weeks, failing which the interim protection shall be vacated.

Put up for further proceedings/arguments 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
23.09.2026

A.No. 841/25 & 598/26

23.09.2026

Present : None for the appellant.
None for the respondent in appeal no. 841/25.
Sh. Abheet Mangleek, ld. counsel for the respondent in appeal no. 598/26.

None has appeared for the appellant despite repeated calls since morning. Even there is nothing on record to explain the absence of the appellant today. Hence, the interim order is hereby vacated.

Put up for arguments on appeals on **22.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 861/25

23.09.2026

Present : Ms. Rakhi Ray and Sh. Manoj Sharma, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Rajeev Ranjan ld counsel for the intervener along with intervener.

Complete copy of the application under Order I rule 10 CPC supplied today to the ld counsel for the appellant in the court.

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

Put up for reply and arguments on this application as well as appeal 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
23.09.2026

A.No. 73/26
Ishwar Devi vs.MCD

23.09.2026

Present : None for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

None has appeared on behalf of appellant since morning in the Tribunal or through VC despite various calls.

As none has appeared on behalf of the appellant and on the previous date, it has already been observed that the appeal is liable to be dismissed on two grounds that (i) the appeal was filed against a dead person and the appellant has challenged the regularization dated 12.03.2008 without any application seeking condonation of delay.

In view of the same, the present appeal is dismissed.

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
23.09.2026

A.No. 103/26 & 131/26

23.09.2026

Present : Sh. U.M. Tripathi, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent in appeal no. 131/26 along with Sh. Subodh Hathwal, AE(B), Shahdara Zone.
None for the respondent in appeal no.103/26.

Common status report is filed by the MCD, copy supplied.

It has been informed that the appellant has demolished the projections and has also removed the amalgamation between the two properties and seeks six months to construct separate stair case for the two properties, which will require raising of fresh additional pillars and columns.

Let the property remain temporary desealed till 29.03.2027 to enable the appellant to do the needful.

The other terms and conditions of the temporary desealing shall remain the same as per the order dated 17.07.2026.

Put up for further arguments on **29.03.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 214/26 & 352/26

23.09.2026

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

It is stated for the appellant that all non-compoundable deviations in the property have been removed and the respondent may be directed to file status report in respect of regularization application.

Let the status report be filed by the respondent in respect of regularization application of the appellant on the next date of hearing.

Put up for awaiting status report and arguments on **05.11.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 215/26

23.09.2026

Present : Sh. Sandip Kumar, Sh. Aryan and Sh. Surya Gupta, Ld counsels for the appellant along with appellant joined through VC.
Sh. S. Adil Hussain , Ld counsel for the respondent joined through VC along with Ms. Gargi Sharma, Adv.

It is stated by the counsel for the MCD that Sh. Ashutosh Gupta, is the arguing counsel and he is held up in some other court in post-lunch session.

At request, 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
23.09.2026

A.No. 508/26

23.09.2026

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

The appellant was required to deposit the misuser charges calculated by the MCD.

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

No adverse order is being passed today.

Let the status report be filed by the MCD as to whether the appellant has deposited the misuser charges or not, on next date of hearing.

Put up for further proceedings/arguments on **01.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 510/26

23.09.2026

Present : Sh. Sunil Chaudhary, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent

Status report is filed by the MCD, copy placed on record.

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

It is stated for the appellant that the subject property falls in Pilanji Colony which falls in the list of 1510 colonies for which the Government has now taken a decision to regularize. It is stated that the property has already been registered under PM Uday Yojna and the appellant shall take further steps to get it regularized.

Let the appellant do so within 8 weeks and subject to outcome of those steps, put up for arguments on this appeal 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
23.09.2026

A.No. 97/19

23.09.2026

Present : Sh. Sumit Chauhan, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
23.09.2026

A.No. 441/21

23.09.2026

Present : Sh. Gurpreet Singh and Sh. R.B. Singh, Ld counsel for the appellant.
None for the respondent.

Vide separate order of even date, the application under Section 5 of Limitation Act is dismissed, as a result, the appeal is also 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
23.09.2026

A.No. 66/22

23.09.2026

Present : Sh. V.K. Bajaj, Ld counsel for the appellant.
None for the respondent.
Sh. Gurpreet Singh and Sh. R.B. Singh, Ld counsel for the intervener.

Vide separate order of even date, the application under Section 5 of Limitation Act is dismissed, as a result, the appeal is also 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
23.09.2026