A.No. 975/26

07.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Kapil Dev Vishwakarma, 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 **19.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 980/26
Arati Ray Vs. MCD

07.10.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Akrar M. Khan, 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 **27.01.2027.**

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Flats no. 175-A and 175-B, Shahpur Jat, New Delhi, in pursuance of the demolition order dated 16.09.2026. 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
07.10.2026

A.No. 983/26
Preeti and Ors. vs. MCD

07.10.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Madhurendra Jha and Sh. Nishant Kumar, Ld counsel for the appellants along with 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 **23.10.2026**.

Till next date of hearing, no coercive action be taken against the properties of appellants in pursuance of the impugned order. 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 appellants are directed not to raise any further construction in the properties in question.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD/07.10.26

A.No. 984/26

07.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Anil Kumar Dhuper, 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 **30.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 986/26

07.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Arpit Kishore, 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 **30.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 767/25
Kavita Aggarwal & Anr. Vs. MCD

07.10.2026

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

File is taken up today on the application of early hearing as well as application seeking withdrawal of the appeal.

Ld. counsel for the appellant submits that as the subject property has already been regularized by the MCD vide letter dated 07.08.2026 and no cause of action now survives, he has instructions from the appellant to withdraw the aforesaid appeal and he may be permitted to withdraw the aforesaid appeal.

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

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

Both the applications 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
07.10.2026

A.No. 431/26

07.10.2026

Present : Sh. Dalip Rastogi, 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.

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
07.10.2026

A.No. 573/26

07.10.2026

Present : Sh. Ajit Kumar, Ld. Proxy 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.

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

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
07.10.2026

A.No. 727/26

07.10.2026

Present : Ms. Sarita Dixit, Ld counsel for the appellant along with the appellant

Sh. Vikas Gupta, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

Sh. Anil Kumar Bhasin, ld. counsel for the intervener along with intervener.

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.

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.

The appellant earlier filed an appeal no. 364/24 against the impugned sealing order dated 27.03.2015 which was withdrawn on 08.05.2026 without any liberty.

The respondent has raised question in respect of maintainability of this appeal as the earlier was voluntarily withdrawn.

Ld counsel for the appellant has placed reliance on the order dated 29.07.2026 passed by Hon'ble High Court in W.P.(C) no. 6344/2025 wherein in para 10, the Hon'ble High Court dismissed the writ petition of the appellant while granting liberty to approach this Tribunal within 3 weeks.

….contd.2

Ld. counsel for the respondent submits that the appeal was withdrawn prior to the order of the Hon'ble High Court and the appellant concealed this fact from Hon'ble High Court that the earlier appeal was withdrawn by the appellant on 08.05.2026.

Ld counsel for the appellant seeks time to make submissions on the aspect of maintainability of this appeal.

At request, put up for arguments on the maintainability of the appeal on **20.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 756/26

07.10.2026

Present : Sh. Rahul Mishra, ld. Proxy counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

Reply to the application for condonation of delay filed on behalf of the respondent. Copy supplied.

It is further stated by the ld counsel for the respondent that this Tribunal does not have jurisdiction to entertain this appeal as the impugned order has been passed in respect of running a polluting activity of manufacturing of Almirah with spray painting and the jurisdiction shall lie with the Judicial Committee.

An adjournment is sought on behalf of the appellant as main counsel Sh. Ashok Kumar Mishra is out of station because of some personal matter.

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

Put up for arguments on maintainable of the appeal on **08.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 779/26

07.10.2026

Present : Ms. Kavya Pahwa, Ld counsel for the appellant joined through VC.
Sh. Anil Kumar Sharma, ld counsel for the respondent joined through VC along with Ms. Karishma and Divyanshu, advocates.

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

Let the same be collected by ld counsel for the appellant.

The record has already been deposited.

I have gone through the record. The record submitted in this appeal is of one M/s Bright Library existing at third floor of the same property bearing no. 18/1, Old Rajinder Nagar, New Delhi, whereas the subject property is M/s Vidya Library existing at the first floor of the same property.

Even the status report is in respect of M/s Bright Library at third floor.

The respondent has inadvertently filed the report and also submitted the record of some other property.

Let this record be returned back with directions to the MCD to submit the status report and MCD record of the subject property i.e. M/s Vidya Library, on next date of hearing.

Put up for awaiting record and arguments on **30.10.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 831/26
Vipin Bhardwaj Vs. MCD

07.10.2026

Present : Sh. Dushyant Bhargava and Ms. Ishmita Chopra, Ld counsel for the appellant along with appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Ananay Lamba, Ms. Ayushi Mittal and Sh. Nomaan, Ld. counsels for the proposed intervener.

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

Ld. counsel for the appellant does not want to file any reply to this application and is ready to argue today itself.

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,

…contd.2

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.

The record has been produced and perused.

Arguments on appeal heard at length.

The appellant has challenged the impugned demolition order dated 18.08.2026 passed in respect of unauthorized construction in the shape of rooms at ground floor in property known as 'Bhardwaj Farms' near Chhattarpur Metro Station, New Delhi primarily on the ground that the show cause notice was vague as it does not contain the details of those rooms and the rough site plan is totally contrary to the demolition order.

Keeping in view the fact that the show cause notice does not contain the specific details of the said rooms at ground floor, the impugned demolition order is set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant.

The demolition order is now considered show cause notice, which shall be replied within 2 weeks with documents.

……contd.3

The appellant shall appear before the Quasi Judicial Authority on 03.11.2026 at 3.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

The appellant stands disposed of.

Record of the respondent is returned today itself.

Appeal file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 938/26
Kuldeep Kaur Vs. MCD

07.10.2026

Present : Sh. Ayush Mittal and Sh. Sumit Goswami Ld counsel for the appellant.
Sh. Abheet Mangleek, Ld counsel for the respondent. Fresh Vakalatnama filed, same is taken on record.

As per the respondent, no demolition order has been passed against the subject property and sealing orders have been passed by the DHO as well as DC. Copy of both the sealing orders supplied to the ld counsel for the appellant.

Notice in the matter was issued for this limited aspect and same has now been completed.

The aforesaid appeal is against the vacation notice, which is not appealable before this Tribunal. The appeal is dismissed with liberty to challenge the demolition/sealing order as per law.

Appeal stands disposed of.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 192/20

07.10.2026

Present : None for the appellant.
Sh. Pritish Sabharwal, Ld counsel for the respondent joined through VC along with Sh. Adarsh Lohia, Adv.

Today is the last and final opportunity for the appellant to appear and argue on the matter.

However, in the interest of justice, another last and final opportunity is granted to the appellant to address the arguments in the matter on the next date of hearing subject to deposit a cost of Rs. 5,000/- with the Registry of this Tribunal.

Put up for arguments on **21.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 970/13

07.10.2026

Present : Sh. Vimal Dhingra and Sh. Gaurav Kumar, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent joined through VC.

Ld. Counsel for the appellant submits that civil matter between the parties is now fixed for 06.11.2026 for final arguments and requests that one date after that date, be given.

The appeal pertains to the year 2013. However, at the request made by the ld. counsel for the appellant, put up for final arguments as last and final opportunity, 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
07.10.2026

A.No. 615/16 & 636/16

07.10.2026

Present : Sh. R.K. Solanki, Ld counsel for the appellant.
Sh. Parmesh Bali, Ld counsel for the respondent.

Part arguments heard.

The respondent is directed to file the status report in respect of the cut-off date of protection to the subject property no. C-91/210, South Ganesh Nagar, Village Mandawali, Fazalpur, Delhi-110092, on next date of hearing.

The appellant is also directed to file complete chain of title documents on the 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
07.10.2026

A.No. 721/16 & 334/17

07.10.2026

Present : Sh. R.K. Solanki, Ld counsel for the appellant.
Sh. Parmesh Bali, Ld counsel for the respondent.

Part arguments heard.

The respondent is directed to file the status report in respect of the cut-off date of protection to the subject property no. C-91/210, South Ganesh Nagar, Village Mandawali, Fazalpur, Delhi-110092, on next date of hearing.

The appellant is also directed to file complete chain of title documents on the 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
07.10.2026

A.No. 452/17 & 700/19

07.10.2026

Present : Sh. G.K. Kaushik, counsel for the appellant through VC.
Ms. Shreya Sharma and Sh. Shivam Moudgil, ld. proxy counsel for Sh. Jatin Aggarwal, counsel for the respondent in appeal no. 452/17.
None for the respondent in 700/19.

Notice directed to be issued to Dy. Director (SUR), DUSIB, Punarwas Bhawan, IP Estate, New Delhi, has not been issued by the Registry.

The Registry is directed to be careful in future and to comply with the last order, for next date of hearing.

None has appeared for the respondent in appeal no. 700/19 despite repeated calls.

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
07.10.2026

A.No. 393/21

07.10.2026

Present : Sh. Rajan Chaudhary, Ld counsel for the appellant joined through VC along with Sh.Subhash Bagga, Adv.
Sh. A.L. Agnihotri, Ld counsel for the respondent.
Sh. S.N. Yadav, ld. Proxy counsel for Sh. Atul Kumar Sharma, counsel for the intervener.

The appellant has filed an application stating that the intervener has tampered with the seal of the subject property and has trespassed into the property. Copy of the application supplied to respondent and intervener.

The MCD is directed to file status report as to whether the seal of the subject property has been tampered and if yes, is directed to reseal the property and also to take appropriate criminal action against the persons who have tampered with the seal.

An adjournment is sought on behalf of the intervener as main counsel Sh. Atul Kumar Sharma is not well today.

At request, the matter is adjourned and now put up for awaiting status report and arguments on **11.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 51/22

07.10.2026

Present : Sh. B.S. Saini, Ld counsel for the appellant.
Sh. A.L. Agrnihotri , Ld counsel for the respondent.

Record of the MCD is reported to be sent to the Ld. Principal District & Sessions Judge, HQ, in appeal no. 387/2021 and 11/22 vide robkar dated 17.02.2026.

Be awaited for record and arguments on **11.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 164/23

07.10.2026

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

Status report is filed by the MCD, copy supplied.

An adjournment is sought on behalf of the respondent as main counsel Sh. Ravi Ranjan is not well today.

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 **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
07.10.2026

A.No. 2/24
Barfi Devi Vs. MCD

07.10.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Harsh, Ld proxy counsel for Sh. Mahender Shukla, Ld. counsel for the respondent.
Sh. D.S. Khatri, Ld. counsel for the intervener.

1. The intervener has filed copy of the sale deed in his favour as directed on the last date of hearing along with an application under Order XXVI Rule 9 CPC, copy supplied.
2. Arguments heard on appeal.
3. As far as the application under Order XXVI Rule 9 CPC is concerned, the intervener has limited liberty to argue and file documents and this application is not maintainable which otherwise is without merits as the Tribunal is not there to collect evidence for the parties who have to stand on their own legs, this application is dismissed
4. Coming to the appeal, the appellant has challenged the demolition order dated 18.12.2023 passed in respect of unauthorized construction in the shape of fixing of glass pane at common courtyard area on upper ground floor of property no. 1190, Kucha Mahajani, Chandini Chowk, Delhi-110006.

Contd…2/-

5. The site plan annexed with the sale deed of the appellant as well as with the sale deed of the intervener clearly shows that this glass pane has not been fixed in the common courtyard but has been fixed in the area owned by the appellant purchased by virtue of the sale deed dated 28.04.2000.
6. The intervener purchased the portion shown in green colour in his sale deed dated 17.04.2003 and common portion was shown in blue colour. The arguments of the intervener that the entire courtyard is a common portion is without merits as the appellant prior to the intervener purchased the portion and the common courtyard portion was not purchased by the appellant. The intervener is bound by the contents of his sale deed which clearly shows that the area where glass pane has been fixed is owned by the appellant.
7. The respondent without verifying that the area where glass pane has been fixed is owned by the appellant passed the impugned order on the presumption is a common courtyard area.
8. In these facts, the demolition order is factually incorrect and not sustainable. The same is set-aside. Appeals stands allowed.

Contd…3/-

9. 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
07.10.2026

A.No. 496/24
07.10.2026

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

Status report is filed by the MCD, copy supplied.

As per this status report the regularization application of the appellant has been rejected and any file relating to sanctioned building plan of property No.A-110, Defence Colony is not available with the building department of Central Zone.

The appellant has placed on record copy of letter dated 26.02.2026 submitted to the respondent in pursuance to the notice dated 04.09.2025 and as per documents annexed with this letter the correct property Number is A-118, Defence Colony and not A-110, Defence Colony.

In these facts, the respondent is directed to fetch the file of property No.A-118 from the Building Department Central Zone who is directed to provide the copy of this file to the Building Department-I, South Zone and reopen the regularization application and decide the same afresh after receiving the file of property No.A-118. Defence Colony, New Delhi.

Put up for further proceedings and 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/07.10.26

A.No. 410/22

07.10.2026

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

Part arguments heard.

The MCD record has not been submitted.

The respondent is directed to submit the record of both the bookings dated 30.04.2019 and 18.05.2022 on or before the next date of hearing.

Put up for further 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
07.10.2026

A.No. 537/24, 538/24, 539/24, 540/24, 541/24, 542/24, 543/24 & 559/24

07.10.2026

Present : Sh. Sanjay Rathi, Ld counsel for the appellant joined through VC along with Ms. Shivani Kapoor, Adv.
Sh. V.K Aggarwal, Ld counsel for the respondent.

Applications seeking waiver of cost filed. In view of the reason given, the applications are allowed and the cost is waived.

Ld counsel for the appellant seeks time to file rejoinder to the application seeking condonation of delay. Same is strongly opposed.

The appellant should have file the rejoinder by now as these appeals are pending since last more than 2 years.

The appellant is given one last and final opportunity to argue on the application seeking condonation of delay and the rejoinder, if any, be filed within 2 weeks with advance copy to ld counsel for the respondent.

Put up for arguments on the pending application and appeal on **06.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 796/24

07.10.2026

Present : Sh. Sai Deep Kaushik, Ld. proxy counsel for the appellant joined through VC.
Sh. Shashi Pratap Singh, Ld counsel for the respondent joined through VC along with Ms. Anamika Gogi, Advocate and Sh. Dharmbir Singh, Consultant, NDMC.

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

Same is opposed.

However, 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 **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
07.10.2026

A.No. 1048/24, 1049/24 & 1098/24

07.10.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Atul Tanwar and Ms. Anshika, Ld counsels for the respondent in appeals no. 1048/24 & 1049/24.
Sh. Ashutosh Gupta, ld. counsel for the respondent in appeal no. 1098/24.
Sh. Atul Verma and Sh. Hansraj Yadav, Ld. counsels for the applicant/intervener Sh. Lalit Kumar in appeal no. 1048/24 and 1049/24.

An application under Order VII rule 14 CPC seeking permission to place on record certain documents along with documents filed on behalf of the appellant. Copy supplied.

Without prejudice to the rights of the respondent, the documents are taken on record. The application stands disposed of.

Arguments heard and concluded.

Intervener is at liberty to file written arguments, if desire, with advance copy to the other parties.

Put up for further arguments on **04.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 94/25

07.10.2026

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

Record has not been filed by the respondent.

MCD is directed to submit the record on or before the next date of hearing.

Put up for awaiting record and arguments on **03.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 135/23

07.10.2026

Present : Sh. Siddharth Malik, Ld. proxy counsel for the appellant.
Sh. Prince Kumar, Ld. proxy counsel Ms. Vasu Singh, counsel for the respondent/MCD joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent no. 2.

An adjournment is sought on behalf of the appellant as main counsel Sh. Rishi Manchanda 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 **10.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 238/25 : Sadaquat Ahmed Khan Vs. MCD
A.No. 374/25 : Sadaquat Ahmed Khan Thr. SPA Holder Khalil Ahmed Khan Vs. MCD

07.10.2026

Present : Sh. Firoz Alam, Ld counsel for the appellant along with appellant.
Ld. proxy counsel for Sh. Sanjay Sethi, ld counsel for the respondent in appeal no. 238/25.
Sh. Parteek Jain, ld. proxy counsel for Sh. Abhinav Shokeen, Ld counsel for the respondent in appeal no. 374/25 joined through VC.
Sh. Mushtafa Ali and Mohd. Raaid Ld. proxy counsel for the intervener.

Status report is filed by the MCD, copy supplied.

Arguments heard at length.

1. The appellant in these appeals has challenged the demolition order dated 06.06.2024 in appeal no. 374/25 and sealing order dated 23.09.2024 executed on 16.01.2025 passed in respect of unauthorized construction in the shape of construction of mezzanine floor and staircase at ground floor in property no. 1232, Kalan Mahal, Darya Ganj, Delhi-110006.
2. As per status report filed today the said staircase built to approach the mezzanine floor has already been demolished by the appellant and the unauthorized construction in the shape of mezzanine floor alone remains.

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3. The appellant has challenged the impugned orders on the ground that the mezzanine floor is old and much prior to 08.02.2007 and earlier it was approached through wooden staircase and the appellant constructed concrete staircase by replacing the wooden staircase which has now been removed and therefore the mezzanine floor being old and prior to 08.02.2007 is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.
4. Ld counsel for the respondent/MCD as well as intervener on the other hand argued that there is no document filed by the appellant to show that the mezzanine existed since prior to 08.02.2007 and therefore the same is liable to be demolished.
5. I have perused the record. The respondent booked this unauthorized construction vide show cause notice dated 21.05.2024 on complaint. No unauthorized construction was undergoing at the time of said booking and impugned demolition order is completely silent in respect of even the approximate date of the alleged unauthorized construction. The photographs filed by the appellant show that it is not a mezzanine floor but only a loft existing in the property built with T-irons and Agra-stones. The photographs clearly

Contd…3/-

reflects that this loft is old and existing since long as there were cracks and seepage in the loft which has been repaired by the appellant.

6. The MCD record does not contain any photographs of fresh construction whereas the photographs of the appellant clearly show that it is the case of repair of the loft and only concrete stairs were freshly built which have been removed.
7. In these facts that the concrete stairs have been demolished and loft is an old structure existing prior to 08.02.2007, the impugned demolition order and sealing orders are kept in abeyance in respect of loft in the shop of the appellant till this Act is in force. The respondent will be at liberty to take action once the Act ceases to be in force. Let the property be desealed within ten days. Appeals stand disposed of.
8. Record of the respondent, if any, be returned along with copy of this order and appeals file be consigned to record room.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 348/25

07.10.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. V.K Aggarwal, Ld counsel for the respondent.

It is stated for the appellant that the appellant no. 1 has passed away and steps will be taken to implead his legal heirs.

At request, put up for further proceedings and arguments on **09.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 566/25

07.10.2026

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

An adjournment is sought by the counsel for the appellant as the certified copy of the record has not yet been supplied by the Registry.

Let the certified copies be supplied within 4 weeks from today.

At request, put up for arguments on **09.02.2027.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 762/25 & 763/25

07.10.2026

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Paras Aggarwal, Ld. counsel for the respondent in appeal no. 762/25 joined through VC.
Sh. Sanjay Sethi, Ld counsel for the respondent in appeal no. 763/25 through VC.
Sh. Abhinandan Jain and Sh.Shivam Prajapati, Ld. counsels for the intervener along with intervener.

It is stated for the appellant and the respondents that the copy of the written arguments filed by the Intervener has not yet been supplied to them.

Ld. counsel for appellant seeks hard copy of the same. Copy supplied to the Ld. counsel for the appellant in the Court and one copy placed on record for Ld. counsel for the MCD, same can be collected from the record.

Put up for arguments on appeal on **10.12.2026.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 818/25

07.10.2026

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

Record has not yet been produced.

Ld counsel for the respondent seeks one more opportunity for the same.

One last and final opportunity is given to the respondent to file the record positively on or before the next date of hearing and it can be inspected by the ld counsel for the appellant.

Put up for awaiting record and arguments on **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
07.10.2026

A.No. 110/26

07.10.2026

Present : Ms. Nivedita Tiwari, Ld counsel for the appellant.
Sh. R.K. Singh, Ld. proxy counsel for the respondent.

Status report is filed by the MCD, copy supplied.

As per the DDA, the present appeal is not maintainable as the impugned notice has not been issued u/s 30-31 of the DDA Act.

Ld counsel for the appellant seeks time to argue the matter on this aspect.

At request, put up for arguments on **20.01.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 287/26 & 288/26

07.10.2026

Present : Mohd. Elahi and Ms. Dimple, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld. counsel for the respondent.

It is stated by the ld counsel for the appellant that the Registry did not permit the counsel to inspect the record of the MCD tagged with the appeal no. 304/26.

The Registry is directed to permit the appellant's counsel to inspect the record tagged in that appeal.

At request, put up for arguments 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
07.10.2026

A.No. 318/26

07.10.2026
Present : Sh. Armaan Monga, Ld counsel for the appellant.
Ms. Dhwani Katyal, Ld counsel for the respondent.

Part arguments heard.

The appellant claims that he has already removed the encroachment in the shape of planters in front of the subject property which is a ground floor flat and as on date, there is no encroachment on the public land. It is further claimed that other deviations in the flat are protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

The MCD is directed to inspect the subject property and to file the status report as to whether there exists any encroachment in the subject property bearing Flat no. B-402, MIG Flat, East of Loni Road, Shahdara, Delhi-110093 and also inform about the deviation existing in the property as against the standard DDA plan, on the next date of hearing.

Put up for awaiting status report and arguments on **18.01.2027.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 329/26

07.10.2026

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

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

Some more time sought on behalf of the MCD to file Action taken report.

Put up for awaiting the report and arguments on **30.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 526/26
07.10.2026

Present : Sh. Bharat Chugh, Sh. Maanish Mohan Chaudhary, Sh. Vivek Gaur and Sh. Damanpreet Singh, Ld counsels for the appellant.
Sh. Abheet Mangleek, Ld counsel for the respondent no. 1 joined through VC.
Sh. Satish Kumar Tomar, Ld. counsel for the R-2 to R-4.

Reply filed by the private respondents to the appeal, copy supplied.

Reply is also filed by the MCD to the application seeking condonation of delay, copy supplied.

Appellant has placed on record certain fresh documents, copy supplied to private respondents. Let the same be also supplied to the Ld. counsel for the MCD.

Ld. counsel for private respondents has raised objection to filing of fresh documents without leave of this court. It is further stated that since the private respondents have already filed their reply to the appeal, they will not get an opportunity to rebut these documents, if taken on record.

The appellant is directed to file appropriate application to place the document on record some of which are prior in date from the date of appeal.

Arguments heard on the application seeking condonation of delay. As per appellant he got knowledge of the impugned order only on 21.04.2026. This appeal was filed on 10.06.2026. The delay from the date of knowledge is around 20 days. The same is condoned.

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Part arguments heard on appeal

Put up for further arguments on appeal on **17.11.2026** as fresh documents have been provided to the private respondents today only.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026

A.No. 551/26
07.10.2026

Present : Ms. Khyati Bansal, Ld counsel for the appellant joined through VC.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Vimal Dhingra, Ld. counsel for the 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.

Put up for arguments on 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/ 07.10.2026

A.No. 938/24

07.10.2026

Present : Sh.I.S. Chauhan , Ld counsel for the appellant joined through VC. with Sh. Deepak Grover, Adv. Fresh Vakalatnama filed, same is taken on record.
Sh. Atul Tanwar, Ld counsel for the respondent.

Ld. counsel for the appellant seeks some time to argue the matter as he has been engaged recently.
Put up for arguments on appeal on **11.01.2027**.
Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
07.10.2026