A.No. 1016/26, 1017/26, 1018/26, 1019/26, 1020/26, 1021/26, 1022/26, 1023/26, 1024/26 & 1025/26

15.10.2026
Fresh appeals received. It be checked and registered.
Present : Sh. Narender Bhandari, Sh. Devagya Kainth and Sh. Vikas, Ld counsels for the appellant.

Submissions heard. File perused.

Arguments heard on the interim applications.

The impugned order(s) records that same have been passed in pursuance to the inspection ordered by the Monitoring Committee appointed by the Hon'ble Supreme Court of India and for the orders relating to Monitoring Committee, this Tribunal does not have any jurisdiction.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer for this limited aspect. In view of the same, no case for ex-parte stay of the impugned order is made out.

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 **22.10.2026**.

Copy of this order be given dasti, as requested.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 1026/26

15.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Prashant Katara, 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 **03.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 1027/26
Kanwar Vikramjit Singh and Anr. Vs. MCD

15.10.2026
Fresh appeal received. It be checked and registered.

Present : Sh. Dalip Rastogi, 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. Property no. PT-62/24, Kalkaji, New Delhi, in pursuance of the demolition order dated 01.10.2026. 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
15.10.2026

A.No. 1032/26

15.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Vikas Kumar and Sh. Harshil Grover, Ld counsels for the appellant.

Submissions heard. File perused.

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

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
15.10.2026

A.No. 1034/26

15.10.2026

Fresh appeal received. It be checked and registered.

Present : Ms. Versha Singh, Sh. Madhav Suri and Ms. Akanksha Singh, Ld counsels for the appellant.

Submissions heard. File perused.

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

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

Put up for arguments on interim application(s) and appeal on **03.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 1036/26

15.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Anmol Sharma, Sh. Sujeet K. Chaudhary and Sh. Abhishek Taneja, Ld counsels for the appellant.

Submissions heard. File perused.

Arguments heard on the interim applications.

The impugned order records that same has been passed in pursuance to the inspection ordered by the Monitoring Committee appointed by the Hon'ble Supreme Court of India and for the orders relating to Monitoring Committee, this Tribunal does not have any jurisdiction.

Issue notice of interim application(s) as well as appeal to the respondent/MCD through concerned Chief Law officer for this limited aspect. In view of the same, no case for ex-parte stay of the impugned order is made out.

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 **22.10.2026**.

Copy of this order be given dasti, as requested.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 428/26, 429/26 and 448/26

15.10.2026

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

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

The record has already been deposited and it attached with appeal no. 428/26. 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 **18.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 613/26

15.10.2026

Present : Sh. Rahul Sharma, Ld counsel for the appellant.
Sh. Nitin Arora, ld. counsel for the respondent/MCD joined through VC.
Ms. Pooja Gupta, ld. counsel for the 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 has already been filed on behalf of the intervener since 07.09.2026 with Registry. Copy supplied.

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 the application under Order I rule 10 CPC as well as appeal on **07.12.2026**.

It is stated by the intervener that despite directions by this Tribunal, the appellant is still continuing with the unauthorized construction and photographs of the same have already been annexed with the application.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 838/26

15.10.2026

Present : Sh. Sushant Dahiya and Sh. Bhupesh Rana, Ld. proxy counsel for the appellant.

File is taken up today on the applications of early hearing as well as application seeking extension/continuation of the interim protection, filed on behalf of the appellant.

The next date of hearing in the matter is 02.11.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application seeking early hearing is dismissed.

Let notice of the another application seeking extension/continuation of the interim protection be issued to the respondent for the date fixed.

Put up on the date fixed i.e. **02.11.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 878/26

15.10.2026

Present : Sh. Puneet Bajaj, Ld counsel for the appellant along with AR of the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Status report is filed by the MCD, copy supplied.

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

Part arguments heard.

The appellant is ready to demolish the entire construction existing in property no. 29 (Part), Najafgarh Road, Delhi and seeking temporary desealing of the property for the purposes of demolition.

Let the AR file proper authority to make such statement in the court.

At request, put up for further proceedings/arguments on **02.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 920/26

15.10.2026

Present : Sh. Santosh Tiwari, Ld counsel for the appellant joined through VC.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent joined through VC along with Sh. Akash Tanwar, Adv., along with Sh. Sanjay Kumar, AE(B). Fresh Vakalatnama filed, same is taken on record.

Status report is filed by the MCD, copy placed on record. Let it be collected.

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 **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
15.10.2026

A.No. 636/19

15.10.2026

Present : Sh. R.K. Pandey and Ms. Aashu Bidhuri, ld counsels for the appellant along with Ms. Babita, LR/daughter of appellant in person.
Sh. Sandeep Kumar, Ld counsel for the respondent.

It is stated by the ld counsel for the respondent that one more appeal of the subject property bearing no. 429/24 is pending for 17.12.2026.

Ld counsel for the appellant has confirmed the same.

At request, list this appeal with that appeal on **17.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 748/17 & 768/17

15.10.2026

Present : Sh. Chanderpal Singh, Ld counsel for the appellant along with one of the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent along with Sh. Mohit Dahiya, Asstt. Assessor and Collector.

The entire property tax record of property no. 1914/43, Naiwala Road, Karol Bagh, Delhi has been produced. Same has seen and returned.

Part arguments heard.

At request made by ld counsel for the appellant, 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
15.10.2026

A.No. 225/22 & 303/22

15.10.2026

Present : Sh. Nishad, Ld. proxy counsel for the appellant.
Sh. Parmesh Bali, Ld. counsel for the respondent in appeal no. 225/22.
Sh. Mohit Sharma, Ld counsel for the respondent in appeal no. 303/22.
Sh. Firoz Alam, ld. counsel for the intervener along with intervener.

MCD has already submitted the demolition record and same can be inspected by ld counsel for the appellant.

Ld. counsel for the intervener has filed an application to place on record the relevant/additional documents on record. Copy supplied to the appellant. Let the same be also supplied to the ld counsels for the MCD.

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 well appeal 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
15.10.2026

A.No. 231/22 & 275/22, 256/24 & 257/24

15.10.2026

Present : None for the appellant.
Sh. Madan Sagar, Ld. counsel for the respondent in appeal no. 231/22 & 275/22. Fresh Vakalatnama filed, same is taken on record
Sh. Avishek Kumar, Ld counsel for the respondent in appeal no. 256/24 & 257/24.
Sh. Puneet Goyal, Ld. counsel for the intervener along with Sh. Sunny Taneja, son of the intervener Ashok Kumar.

Ld. counsel for the respondent has filed fresh vakalatnama in the aforesaid two appeal no. 231/22 & 275/22 and seeks some time to go through the record and to advance arguments.

Even none has appeared for the appellant despite calls. No adverse order is being passed today.

The appellant is given one last and final opportunity to file reply to the application of the intervener moved u/s 379 BNSS, with advance copy to the intervener.

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
15.10.2026

A.No. 649/22

15.10.2026

Present : Sh. Saurabh, Ld counsel for the appellant along with husband of the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.

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
15.10.2026

A.No. 37/23 & 38/23

15.10.2026

Present : Ms. Iram Khan, Ld. proxy counsel for the appellant through VC.
Sh. V.K. Aggarwal, Ld. counsel for the respondent in appeal no. 37/23.
Sh. Ashutosh Gupta, Ld counsel for the respondent in appeal no. 38/23.

Record of the civil suit no. 688/22 has been received.

An adjournment is sought on behalf of the appellant as main counsel is held up in some other matters.

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 the application seeking condonation of delay in filing the appeal as well as 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
15.10.2026

A.No. 772/23, 774/23, 775/23 & 776/23

15.10.2026

Present : Ms. Chandrika Samwal, Ld counsel for the appellant.
Sh. Ranjeet Pandey, Ld counsel for the respondent joined through VC.

An adjournment is sought on behalf of the appellant as the certified copy, which has been applied, has not yet been received from Registry.

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

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
15.10.2026

A.No. 968/24
Mayank Gupta Vs. MCD

15.10.2026

Present : None for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.
Sh. Gajender Kumar, Ld counsel for the proposed/ intervener.

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

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/15.10.26

At 2.25 pm

Present : None for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.
Sh. Gajender Kumar, Ld counsel for the proposed/ intervener.

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 2.25 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 and

resultantly, all the pending application(s) also stands disposed of being infructuous.

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
15.10.2026

A.No. 1042/24

15.10.2026

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

Respondent seeks some more time to verify the property tax record relied upon by the appellant. Same is pending from February 2026.

Let the Asstt. Assessor and Collector of the concerned department be present with entire property tax record of the subject property on next date of hearing.

Put up for further argument 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
15.10.2026

A.No. 1045/24

15.10.2026

Present : Appellant in person.
Sh. Atul Tanwar, Ld. Standing counsel for the respondent joined through VC.

Appellant seeks pass over in the matter as the main counsel is held up before some other court. In view of the heavy cause list, the pass over is not possible.

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
15.10.2026

A.No. 1096/24

15.10.2026

Present : Sh. Deepak Jain, Ld counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Part arguments heard.

At the request made by the ld counsel for the respondent, put up for further arguments on **15.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 59/25

15.10.2026

Present : Ms. Sapna Gupta, Ld. proxy counsel for the appellant joined through VC along with appellant in person.
None for the respondent.

Ld. proxy counsel seeks pass over in the matter as the main counsel is held up before the some other court. In view of the heavy cause list, the pass over is not possible.

None has appeared for the respondent since last three consecutive dates.

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 **18.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 175/25

15.10.2026

Present : Sh. Drone Dewan , Ld counsel for the appellant along with appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Part arguments heard.

At request of ld counsel for the appellant, put up for further 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
15.10.2026

A.No. 205/25 & 206/25

15.10.2026

Present : Ms Parul Agarwal , Ld counsel for the appellant.
Sh. Ashutosh Gupta and Sh. Avishek Kumar, Ld counsels for the respondent.

Ld. counsels for the respondent seek some more time to file the status report as well as record relating to the orders of the Monitoring Committee directing sealing of the subject property.

Let the same be produced on the next date of hearing.

The appellants as well as the then officials of MCD did not bring the fact of Action taken at the instance of Monitoring Committee against the subject property.

Let the appellants as well as the then officials of MCD including the then JE Mr. Kamal Yadav (Now AE) be present in the court in person for explanation regarding concealing of these facts, on the next date of hearing.

Put up for arguments 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
15.10.2026

A.No. 473/25

15.10.2026

Present : Sh. Jitender Bhardwaj, Ld counsel for the appellant joined through VC along with Sh. Mayur, Adv.
Sh. Dharmvir Gupta, Ld counsel for the respondent.

An adjournment is sought by the counsel for the respondent as due to some urgency, he has to rush to home.

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
15.10.2026

A.No. 503/25, 867/25, 6/26 & 7/26

15.10.2026

Present : Sh. Mukesh Bhardwaj and Sh. Kesri Gupta, Ld counsels for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeal no. 503/25 and 867/25.
Ld. Proxy counsel Ld. counsel for the respondent in appeal no. 6/26 & 7/26.

Part arguments heard

Let in appeal no. 503/25, the AE(B) be present in the court to explain about the sanctioned building plan referred in the impugned order and in the status report darted 23.01.2026 where it is mentioned that the entry and access of the premises have been sanctioned from front side of the property and the rear side entry is in violation of sanctioned building plan since the sanctioned building plan clearly show that there are two gates in the property at the rear side of the property.

In the other three appeals, the respondent is directed to physically inspect the property and file status report in respect of covered area in the property from basement to top floor and also reflecting the covered area in possession of particular appellant respectively at each floor.

Put up for further 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
15.10.2026

A.No. 576/25

15.10.2026

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

Part arguments heard.

At request made by the ld counsel for the appellant, put up for further 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
15.10.2026

A.No. 628/25 & 629/25

15.10.2026

Present : Sh. Vikram Saini, Ld counsel for the appellant in appeal no. 628/25.
Sh. S.R. Mehta, ld. counsel for the appellant in appeal no. 629/25.
None for the respondent.

Objections filed by the appellant to the status report dated 03.06.2026. Extra copy placed on record.

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

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 further arguments on **18.02.2027.**

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 644/25
Anil Tiwari Vs. MCD

15.10.2026

Present : Ms. Parul Agarwal, Ld counsel for the appellant.
Sh. Nishant Walia, Ld. proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent.

Ld. counsel for the appellant submits that she has instructions from the appellant to withdraw the aforesaid appeal and she 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 appellant, the aforesaid appeal stands disposed off as withdrawn.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 667/25

15.10.2026

Present : Sh. Anup Sharma, Ld. proxy counsel for the appellant.
Sh. Ashok Kumar Khosla , Ld counsel for the respondent joined through VC.
Sh. Mohd. Faizal Ahamd, ld. counsel for the proposed intervener.

An adjournment is sought on behalf of the appellant as main counsel Sh. Puran Chand is having some problem in his eyes.

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

Put up for arguments on **17.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 18/26
Sunita and Anr. Vs. MCD

15.10.2026
Present : None for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.
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/15.10.2026

At 2.45 pm
Present : None for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.

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 2.45 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
15.10.2026

A.No. 112/26
Archana Jatia Vs. MCD

15.10.2026

Present : Sh. Harish Malik, Ld counsel for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent joined through VC. Fresh Vakalatnama filed, same is taken on record.

Arguments heard. File perused.

This is an appeal challenging the sealing order dated 03.11.2023 passed in pursuance to the show cause notice dated 04.10.2023 in respect of unauthorized construction in property no. B-50, Gulmohar Park, New Delhi.

The appellant has challenged this order on several grounds including the non-service of show cause notice.

The MCD record does not contain any proof of the service of the show cause notice which otherwise was issued in the name of erstwhile owner Sh. B.D. Mathur.

Since, the show cause notice was not properly served upon the appellant, the impugned sealing 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.

….contd.2

The appellant shall appear before the Quasi Judicial Authority on 17.11.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

It is relevant to note that the property was desealed in pursuance of the directions of the Hon'ble High Court vide order dated 04.11.2023 passed in W.P.(C) no. 14454/2023.

The 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
15.10.2026

A.No. 124/26

15.10.2026

Present : Sh. Madhav Kumar, Ld. proxy counsel for the appellant joined through VC.
Dr. Sanjay Sharma, ld counsel for the respondent through VC along with Sh. S.G. Asthana, Adv.

An adjournment is sought on behalf of the appellant as main counsel Ms. Sahiba Singh is not available today due to death of his grand mother.

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 **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
15.10.2026

A.No. 786/26

15.10.2026

Present : Sh. Mohit Batra, Sh. Saket Gakhar, Sh. Saman Yadav and Ms. Medhavi Gogia, Ld counsels for the appellant. Fresh Vakalatnama filed, same is taken on record.
Sh. Atul Tanwar, Ld counsel for the respondent joined through VC along with Sh. Akash Tanwar, Adv.

An adjournment is sought by the ld counsel for the appellant on the ground that he has recently been engaged.

Appellant is directed to file the complete set of title ownership documents on next date of hearing.

At request, put up for arguments on **08.01.2027.**

Till next date of hearing, no coercive action be taken against the property of appellant 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 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
15.10.2026

A.No. 881/26
Sunni Madina Masjid Rafiz-E-Millat Trust Regd. Vs. MCD

15.10.2026

Present : Sh. G.M. Farooqui, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Standing Counsel for the respondent along with Sh. Krishan Keshav, ALO.
Sh. Sanjay Kumar Pathak, ld. Standing counsel along with Sh. Dheeraj Kumar Singh, Special Counsel and Sh. Hanu Prashar, Sh. Abhay Verma and Ms. Jayoti, Advocates for GNCT (Revenue Department).
Sh. Manoj Kumar, Patwari of SDM Shalimar Bagh, District Central North.
Sh. Amit Kumar ASO/LAC from Office of Central North.

1. Reply to the application under Order XXXIX Rule 14 CPC has been filed by the appellant. Copy supplied.
2. Arguments heard on the application filed by the applicant/MCD under Order XXXIX Rule 14 CPC seeking vacation of the ex-parte interim order dated 15.09.2026.
3. Ld. counsel for the MCD/applicant has argued that this Tribunal vide order dated 15.09.2026 gave protection only to the ground floor of the property known as Sunni Madina Masjid at Khasra No.12, Gali No.9, Shalimar Village subject to that no encroachment on the public land was protected and the respondent only as a precaution has filed this application. The entire property is situated on public

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land and is liable to be demolished. The appellant admittedly has no sanctioned building plan and the construction has been raised on public land is not protected in view of Section 4 of the National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act. Further, the land is required for public purpose for constructing 30 meter wide road and for that reason also no protection is available under this Act. The photographs taken by the officials of the respondent/MCD clearly show that new construction has been raised by the appellant and thus the status quo qua construction required to be maintained under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act was violated and therefore the protection is not available under this Act. It was further argued that 98 petitioners having unauthorized properties falling in Khasra No.12 min. and 13 min., Village Haiderpur, Shalimar Bagh, Delhi approached the Hon'ble High Court in W.P.(C) No.1784/2026 and the Hon'ble High Court vide judgment dated 06.04.2026 dismissed that writ petition permitting the Govt. of NCT of Delhi to widen the road No.320 and make it 30 meter road and this order of Hon'ble High Court was upheld by the Hon'ble Supreme Court of India. The appellant who

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claims to have property in Khasra No.12 is an encroacher on public land and cannot be protected and therefore the interim protection dated 15.09.2026 should be vacated.

4. Ld. counsel for the appellant on the other hand argued that the MCD record filed before this Tribunal was never supplied to him to rebut the contentions of MCD. The judgment passed by the Hon'ble High Court in the case of Saroj Vs State of NCT of Delhi bearing W.P.(C) No.1784/2026 is not applicable to the subject property as the subject property does not fall on 30 meter wide road bearing No.320. The MCD has not filed any document to show that the subject property falls on this road. The impugned demolition order and this show cause notice are silent in respect of any encroachment on public land and this argument that the subject property is situated on a public land is beyond the scope of show cause notice. The MCD deliberately did not file the status report as the same would show that subject property is not located on 30 meter wide road. It was argued that the construction is old and prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act.

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5. I have perused the record. As per title documents of the appellant the subject property falls on Khasra No.12, Village Shalimar, Delhi. The Hon'ble High Court in the judgment of Saroj Vs State of NCT of Delhi (Supra) has held that Khasra No.12 min. and 13 min. were acquired vide award No.40 and 50/1980-81. Once these two Khasras were duly acquired vide these awards, the subject property cannot be said to be a property owned by the appellant by virtue of GPA, Agreement to Sell etc. Any property located on these two khasras shall be on public land.
6. Section 4 of National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act specifically provides that the provisions of this Act shall not applied to encroachment on public land except of the cases covered in clause a, b and c of Section 3 (1) of this Act. Admittedly, none of the clauses of Section 3 (1) apply to the subject property.
7. The Hon'ble High Court in the judgment of Saroj Vs State of NCT of Delhi (Supra) has clearly held that any encroachment/unauthorized construction is required to be removed to proceed with expansion of road No.320. The subject property being situated on public land is required to be removed for expansion of road No.320 and the protection under National Capital

Contd…5/-

Territory of Delhi Laws (Special Provision) Second Amendment Act is not available.

8. Coming to the arguments of the appellant that the impugned order and the show cause notice does not mention the subject property is an encroachment on public land, Ld. counsel for MCD has submitted that this fact was not in the knowledge of the MCD when the property was booked for unauthorized construction and the same came to the knowledge of the MCD later on and that by itself does not mean that the appellant is entitled to interim protection. My attention was also drawn to the directions given in the case of Hon'ble Supreme Court of India IN RE… directions in the matter of demolition of structures (2025) 5 Supreme Court Cases 1. The Hon'ble Supreme Court of India in para-91 of this judgment held that these directions will not be applicable to an unauthorized structure in any public place such as road, street, footpath, abutting railway line or any river body or water body and also to cases where there is an order for demolition made by the court of law.
9. In the present case the subject property is on public place i.e. road No.320 and no notice is required to be served for removal of the said structure.

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10. It is also relevant to note that the appellant made false submission in his reply given to the show cause notice in para-6 stating that no construction, alteration and addition has been made in the property since 2001. The MCD photograph clearly show that fresh construction is being raised at the second and third floor which were removed by the appellant himself as mentioned in the demolition order. The appellant raised unauthorized construction and then tried to mislead the Quasi Judicial Authority by making false submission.
11. Though in the interim order dated 15.09.2026 no protection was given to any encroachment on public land, however, in view of the discussion hereinabove the interim protection dated 15.09.2026 is vacated. The application is allowed.

Put up for arguments on appeal on date already fixed i.e. **03.12.2026**.

Copy of this order be given dasti to all the parties.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026

A.No. 698/24

15.10.2026

Present : Sh. Archit Mittal and Ms. Vishalakshi Goel, Ld counsels for the appellant.
Sh. Dhramvir Gupta, Ld counsel for the respondent.

Written arguments filed by the appellant along with certain documents stated to be already on record. If the documents are already on record there is no need to file them again and the same are handed over back to the counsel. Copy of written arguments supplied.

The appellant claims to have purchased the property in 2011 but did not file the relevant documents before the Quasi Judicial Authority nor in this appeal.

The appellant is directed to file copy of his title documents and also to produce the original in the court on the next date of hearing.

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
15.10.2026