A.No. 1106/26
Ruchi Tanwar Vs. MCD

29.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. H.L. Dasi, Sh. Pankaj Gaba and Sh. Lalit Tickoo Ld counsels for the appellant.

Submissions heard. File perused.

The appellant has not filed the site plan of the existing structure. Let the same be filed within 2 days.

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 **08.01.2027.**

Till next date of hearing, no coercive action be taken against the property of appellant i.e. WZ-378, Village Basai Darapur, New Delhi-110015, upto third floor only, in pursuance of the demolition order dated 29.09.2026. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well

…….contd.2

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
29.10.2026

A.No. 1109/26
Parmod Kumar Dang Vs. MCD

29.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Umang Tyagi, Ld counsel for the appellant joined through VC along with Sh. Sanyam Dahiya, Adv.

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 **22.01.2027**.

Till next date of hearing, no coercive action be taken against the property of appellant bearing no. D-262-A, Devli Road, Khanpur, New Delhi, in pursuance of the demolition order dated 16.07.2026. There is no protection to the property no. A-262, Devli Road, Khanpur, New Delhi, 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

….contd.2

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
29.10.2026

A.No. 1116/26
Simran Sharma Vs. MCD

29.10.2026

Fresh appeal received. It be checked and registered.

Present : Sh. Rajesh Kumar, 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 **18.01.2027**.

Till next date of hearing, no coercive action be taken against the property of appellant i.e. property no. G-70, West Patel Nagar, Delhi, in pursuance of the demolition order dated 23.02.2026. 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
29.10.2026

A.No. 571/26

29.10.2026

Present : Sh. Indresh Upadhayay, Sh. Manmeet Oberoi and Ms. Sakshi Bharti, Ld counsels for the appellant along with SPA Holder.
Sh. Arpit Singh, Ld. proxy counsel for Sh. Yogesh Raj, Ld counsel for the respondent along with Sh. Ravi Kumar, AE(B), West Zone.

Status report is filed by the MCD, copy supplied.

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

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

At request, put up for arguments on **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
29.10.2026

A.No. 746/26

29.10.2026

Present : Sh. Lalit Gupta, Ld counsel for the appellant joined through VC along with Sh. Yash Chaudhary, Adv.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Vedansh Vashisht, Ld. counsel for the proposed intervener.

Status report is filed by the MCD, copy supplied.

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

Regularization application of the appellant as per status report has been rejected on 24.09.2026.

Ld counsel for the appellant submits that same has not yet been communicated to the appellant. Let the copy of the rejection order be provided to the ld counsel for the appellant within 48 hours.

The advance copy of the application under Order I rule 10 CPC purported to be moved by the Intervener be supplied to the appellant as well as MCD.

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
29.10.2026

A.No. 816/26

29.10.2026

Present : Ms. Sujatha Shirolkar, Ld. LAC for the appellant joined through VC.
Sh. Rajat Mishra, Ld counsel for the respondent joined through VC along with official of the MCD.

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

Let it be collected by the appellant.

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 **14.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 833/26

29.10.2026

Present : Sh. Manoj Kumar , Ld counsel for the appellant.
Sh. Vikash Gutpa, 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.

Appellant is directed to produce the original rent agreement as well as the original letter dated 01.07.2004 filed at page no. 41 of the appeal on the next date of hearing.

At request, put up for arguments on **27.01.2027**.

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
29.10.2026

A.No. 1088/26 & 1089/26
Narender Singh Chahal Vs. MCD

29.10.2026

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

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

Ld. counsel for the appellant submits that Sangam Vihar colony is in the list of 1511 colonies for which the Government has now taken a decision to regularize and some time may be given to the appellant to apply for regularization/registration of the property under PM Uday Yojna.

Let the appellant do so within 8 weeks and subject to outcome of the regularization application, put up for arguments on this appeal on **03.02.2027.**

Till next date of hearing, no coercive action be taken against the property of appellant in pursuance of the impugned order subject to applying for regularization/ registration under PM Uday Yojna within 8 weeks, failing which MCD is at liberty to take action as per law. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well

….contd.2

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
29.10.2026

A.No. 1090/26 & 1091/26
Santosh Sharma Vs. MCD

29.10.2026

Present : Sh. S.B. Pandey, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent along with Sh. Rajender Meena, AE(B).

Status report is filed by the MCD, copy supplied.

1. Arguments heard on the interim application.
2. The brief facts for disposal of the interim application are that the respondent booked the unauthorized construction in the shape of entire stilt to third floor in property No. 6/3, Block No. 40, Singh Sabha Road, Shakti Nagar, Delhi vide show cause notice dated 08.09.2016. The same was duly replied by the appellant on 06.10.2026 and thereafter after providing personal hearing to the appellant the impugned demolition order dated 15.10.2026 was passed.
3. It has been argued for the appellant that the property was constructed after obtaining sanctioned building plan through Licensed Architect of the respondent and the property was constructed as per sanctioned building plan. One Manish Grover filed PIL before Hon'ble High Court bearing W.P.(C) No. 2020/25 and the appellant came to know that the property is situated in regulated area of the nationally protected

Contd…2/-

monument and applied for permission from ASI (Archeological Survey of India) which was declined on the ground that ASI does not have power and now that orders have been challenged before National Monuments Authority (NMA) and the appeal is likely to be taken up by the said authority and therefore till then the operation of the impugned demolition order dated 15.10.2026 and impugned sealing order dated 16.10.2026 should be stayed.

4. Ld counsel for the respondent on the other hand argued that the appellant concealed the fact of the property being situated in regulated area from protected monument in the application filed under 'Saral Scheme' for obtaining sanctioned building plan and the said plan has also already been revoked. ASI issued work stop notice to the appellant way back on 15.02.2024 to stop the construction activity but the appellant did not stop the construction and completed the entire construction. The appellant further did not apply for permission with ASI nor has challenged the order of ASI before NMA till date. The Hon'ble High Court in the order dated 09.10.2026 passed in W.P.(C) No. 2020/25 recorded the conduct of the appellant and directed the MCD to take action as per

Contd…3/-

law against the property as well as against the erring officials of MCD, Delhi Police, ASI etc. and therefore there is no prima-facie case in favour of the appellant.

5. Admittedly, the appellant misrepresented before MCD while obtaining sanctioned building plan under 'Saral Scheme' and concealed the fact that the property is situated in the regulated area. Further, the appellant did not stop construction since 15.02.2024 when a work stop notice was issued by ASI. The appellant went on to complete the construction and constructed the entire property and also occupied the property. The Hon'ble High Court in the order dated 09.10.2026, in para-11 has specifically recorded that there is no explanation of the appellant who was respondent no. 5 therein as to what prompted the appellant to continue with construction once a work stop notice dated 15.02.2024 was issued.
6. The appellant even during arguments could not furnish any explanation in this regard nor as to why the appellant did not apply for permission from ASI even after receiving the work stop notice dated 15.02.2024 and why the appeal before NMA was not filed before the impugned orders were passed.
7. There is no prime-facie case in favour of the appellant and t here are no merits in the interim application and

Contd…4/-

the same is dismissed. Nothing said hereinabove shall tantamount to have any expression on the merits of the case.

8. However only on humanitarian grounds that the festival of ‘Diwali’ is approaching within a week, the respondent is directed not to take any coercive action against the subject property in pursuance to the impugned order only till 10.11.2026.
9. The MCD shall be at liberty to take action after 10.11.2026. It is specified that this protection has not been granted on merits and has been granted only on humanitarian grounds.

Put up for arguments on both the appeals on **10.02.2027**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 1105/26

29.10.2026

Present : Sh. Ankit Kashyap, Ld counsel for the appellant.

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

The next date of hearing in the matter is 08.12.2026. The appeal is of the year 2026. In view of the heavy pendency, no early hearing is possible. The application is dismissed.

Put up on the date fixed i.e. **08.12.2026** for the purpose fixed.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 483/24

29.10.2026

Present : Sh. Rakesh Tanwar, Ld counsel for the appellant.
Sh. Varun Sharma, Ld counsel for the respondent.

Part arguments heard.

Put up for further arguments on **15.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 673/18, 674/18 & 794/18

29.10.2026

Present : Sh. Suhail Khan, Ld counsels for the appellant.
None for the respondent in appeal no. 794/18
Sh. Umesh Burnwal, Ld. counsel for the respondent in 673/18 & 674/18 other two matters through VC.
Sh. Dinesh Dahiya, Ld. counsel for the respondent/ASI.

An application of the appellant under Order VI rule 17 CPC seeking amendment in the prayer clause is pending since 16.10.2018.

Ld. counsel for the respondent submits that he has not been supplied the copy of this application as well as the copy of the proposed amended appeal. **Let the same be supplied within a week**.

I have gone through this application.

The appellant in the original appeal challenged the unknown demolition order and later when the copy of the demolition orders were provided on 25.09.2018, filed this application for amendment challenging the demolition order dated 27.02.2013 and also filed another appeal no. 794/18 challenging the second demolition order dated 17.04.2013.

Since the amendment sought is formal in nature and just to mention the date of unknown demolition order, the same is allowed. The amended appeal is taken on record. The application stands disposed of.

….contd.2

Part arguments heard on appeals.

Both the demolition orders are of 2013 and if the subject property is situated in an unauthorized colony, the cut-off date for protection under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 in respect of unauthorized construction shall be 01.06.2014.

The respondent is directed to file the status report about the status of this colony as on the date of booking in 2013 and what is the cut-off date of protection of unauthorized construction of the subject property under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011 on the next date of hearing.

None has appeared for the respondent in appeal no. 794/18 despite repeated calls since morning.

No adverse order is being passed today.

Fresh notice be issued to the MCD in appeal no. 794/18 for ensuring the presence of the counsel on the next date of hearing.

Put up for awaiting status report and arguments on **02.12.2026**. Interim orders, if any, to continue till the next date of hearing.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 633/19 & 200/24

29.10.2026

Present : Sh. Mehul Gupta, Ld counsel for the appellant joined through VC along with appellant no. 2 in person.
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal no. 633/19.
Sh. Harsh, Ld. Proxy counsel for Sh. Mahender Shukla, counsel for the respondent in appeal no. 200/24.

It is stated for the appellant that the respondent did not temporarily deseal the property as directed on the last date of hearing.

Ld. counsel for the MCD submits that the department was under the impression that the appellant shall file application before the department for temporary deseal and as such, it was not temporary desealed.

In these facts, considering the restriction imposed under GRAP at different stages, let the appellant file application before the respondent for temporary desealing for four weeks after the restrictions of the GRAP are not in force.

The respondent shall deseal the subject property temporary on such application for four weeks to enable the appellant to demolish the unauthorized construction at the fourth floor.

MCD shall reseal the property after 4 weeks of desealing and file status report on the next date of hearing.

Put up for awaiting status report and 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
29.10.2026

A.No. 703/23, 649/23 & 704/23

29.10.2026

Present : Sh. Vishu Mittal, Ld. proxy counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent in appeals no. 703/23 & 649/23.
None for the respondent in appeal no. 704/23.
Sh. Parveen Suri, ld. counsel for the intervener joined through VC.

An adjournment is sought on behalf of the appellant as main counsel Sh. Sachin Mittal has undergone another knee surgery on 06.10.2026 and was discharged from the hospital on 08.10.2026 and has been advised bed-rest.

Same is strongly opposed as the appellant is enjoying the benefit of interim protection.

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.

At request, put up for arguments on **14.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 63/23, 424/23, 532/23 & 106/24

29.10.2026

Present : Sh. R.S. Goswami along with Sh. Prem Singh, Ld. counsel for the appellant.
Sh. Vijay Tyagi, Ld. counsel for the respondent in appeal no. 63/23 and 424/23 joined through VC.
Ms. Rashi Aggarwal, ld. proxy counsel for Sh. Anubhav Gupta, ld. counsel for the respondent in appeal no. 532/23.
None for the respondent in appeal no. 106/24.

It is stated by the ld counsel for the appellant that the order of this Tribunal dated 09.06.2026 has been challenged before the Hon'ble High Court where it is listed for 27.11.2026 and the arguments on these appeals be deferred after that date.

Same is opposed as there is no stay to the proceedings of these appeals.

Infacts, put up for arguments on **02.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 159/23 & 188/23

29.10.2026

Present : Sh. Abhinav Tyagi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Pankaj Kumar Singh, ld counsel for the intervener.
Fresh Vakalatnama filed, same is taken on record.

An adjournment is sought by the counsel for the intervener as he has recently been engaged.

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

Put up for arguments on **21.12.2026**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 384/23

29.10.2026

Present : Appellant no. 1 in person.
None for the respondent.

An adjournment is sought on behalf of the appellant as main counsel is not available today due to bad health.

It is further stated that the appellant no. 2 has passed away on 15.05.2026. Let the steps be taken to implead the legal heirs.

Even none has appeared for the respondent today.

In the interest of justice one more opportunity is granted to the parties 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
29.10.2026

A.No. 713/23 & 714/23

29.10.2026

Present : Sh. G.D. Mishra, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Part arguments heard.

The MCD sealing record does not show any document in respect of service of show cause notice u/s 345-A DMC Act.

Let the status report in respect of service of this show cause notice be filed on the next date of hearing.

Put up for awaiting the status report and 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
29.10.2026

A.No. 367/24 & 630/24

29.10.2026

Present : None for the appellant in appeal no. 367/24.
Ms. Manu, ld.proxy counsel for Ms. Parul Aggarwal, counsel for the appellant in appeal no. 630/24.
Sh. Chetan Hasija, Ld counsel for the respondent joined through VC in appeal no. 367/24.
Ms. Mehak Arora, ld counsel for the respondent in appeal no. 630/24.

It is stated for the respondent that copy of the application to place on record the additional documents in appeal no. 630/24 has not been supplied till date.

The appellant is directed to supply the same within a week from today.

An adjournment is sought on behalf of the appellant as main counsel Ms. Parul Agarwal is not available today due to some personal difficulty.

Even none has appeared for the appellant in another appeal.

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

Put up for arguments on **04.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 445/24

29.10.2026

Present : Sh. M.S. Khan and Ms. Reecha, Ld. proxy counsel for the appellant.
Sh. Pritish Sabharwal, Ld. counsel for respondent joined through VC along with Sh. Nishant Walia, Adv.
Sh. N.U Ahmad and Ms. Afsar Bano, ld. counsels for the intervener.

Part arguments heard.

Record of MCD is tagged in appeal no. 313A/23. Let the same be tagged with this appeal.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 969/24 & 1054/24

29.10.2026

Present : Sh. Ghanshyam Narayan, Ld. counsel for the appellant.
Sh. S. Adil Hussain, ld counsel for the respondent joined through VC in appeal no. 969/24.
Sh. Aman Rai, Ld counsel for the respondent in appeal no. 1054/24.

An adjournment is sought by the counsel for the appellant as he wants to amend the appeal.

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

Put up for arguments on **23.02.2027**.

There is no interim protection in the matter.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 1084/24 & 1095/24

29.10.2026

Present : Ms. Nishu Budhiraja, Ld. Proxy counsel for the appellant.
Sh. Manish Sharma, Ld. proxy counsel for Sh. K.D. Sharma, counsel for the respondent in appeal no. 1084/24.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for respondent in appeal no. 1095/24.

An adjournment is sought on behalf of the appellant as main counsel Sh. Gurmeet Singh Hans has been suffering from High fever.

Similar request for adjournment is made on behalf of the respondent in appeal no. 1084/24 as Sh. K.D. Sharma is not well today.

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

Put up for arguments on **17.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 48/25
Ravinder Taneja Vs. MCD
29.10.2026

Present : Sh. Amandeep Singh, Ld counsel for the appellant.
Ms. Vasu Singh, Ld counsel for the respondent joined through VC.
Sh. Rishabh Jain, ld counsel for the interveners.

1. Property tax receipts for the second floor filed by the appellant, copy supplied.
2. 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

Contd…2/-

argue the matter at the final arguments stage. With the consent of parties, arguments heard on the appeal.

3. This is an appeal challenging the demolition order dated 30.12.2024 passed in respect of unauthorized construction in the shape of deviations/excess coverage against sanctioned building plan dated 01.10.1986 issued by the DDA at ground, first and second floor and unauthorized construction of one mumty and two temporary shed rooms at third floor.

4. The appellant is concerned only about the second and third floor and has challenged this order primarily on the ground 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, 2011. It was argued for the appellant that the respondent considering the property tax record granted protection to the covered area of 1108 sq. ft. each at ground, first and second floor and did not grant protection to remaining area on these floors as well as to the entire third floor despite appellant filing documents to show that the entire second and third floor is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011.

Contd…3/-

5. Ld. counsels for MCD and intervener on the other hand argued that the covered area on all the floors increased from the covered area shown in the property tax returns for which the appellant failed to file any document and therefore there is no infirmity in the impugned order.

6. I have perused the record. As per demolition order, the covered area at ground floor is 1177.14 sq. ft. and at first and second floor 1165.19 sq. ft. each. The Quasi Judicial Authority gave protection to covered area of 1108 sq. ft. each at ground to second floor in view of the property tax assessment order dated 14.08.1992.

7. The appellant has drawn my attention to a legal notice dated 15.10.1990 exhibited in a civil suit pending between the father of the appellant, appellant and his brother as defendants filed by Mr. N.D. Taneja, the father of the intervener. In this notice issued on behalf of Mr. N,D. Taneja, the construction existed at second and third floor was mentioned. It clearly shows that the construction at second and third floor exists since at least 1990 when this notice was issued. The construction mentioned therein is almost similar to the construction shown by the appellant in the site plan filed with the appeal except of some internal

contd…4/-

deviations. The covered area existing at the second and third floor has not been changed since 1990.

8. Further, it is unlikely that unauthorized construction of only 57 sq. ft. shall be made at second floor which is difference between the covered area existing at second floor and the covered area protected in the impugned order. Further, the third floor is in existence since 1990.
9. The appellant therefore has shown that the construction existing at second and third floor is much prior to 08.02.2007 and is protected under National Capital Territory of Delhi Laws (Special Provision) Second Amendment Act, 2011
10. Hence, the impugned demolition order 30.12.2024 is kept in abeyance in respect of property of the appellant i.e. second and third floor of property No. KP-20, Block-KP, Pitam Pura, Delh-110034 till this Act is in force. The respondent is at liberty to take action once the Act ceases to be in force. 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
29.10.2026

A.No. 466/25

29.10.2026

Present : Sh. Shiv Charan Garg, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Neeraj Kumar Jha, ld. counsel for the proposed intervener joined through VC.

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.

The intervener is a tenant and is seeking temporary desealing of the property to remove his goods. He is required to file separate appeal, if he intends to challenge the sealing order.

….contd.2

Since, the application under Order I rule 10 CPC has been dismissed, the other application seeking temporary desealing of the intervener is not maintainable and is hereby dismissed.

At request, put up for arguments on the appeal on **14.01.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 693/25

29.10.2026

Present : Sh. Atul Kumar Sharma, Ld counsel for the appellant with Sh Kamal Kishor Sagar, Sh. Nikhil Verma, Sh. Muneer Ahmed, Advocates.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Part arguments heard.
Put up for further 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
29.10.2026

A.No. 114/26

29.10.2026

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

It is stated for the appellant that he has applied for regularization on 27.10.2026 and time may be given for arguments as the regularization application is pending. Copy of the application is supplied.

Put up for filing status report by the respondent qua the regularization application of the appellant 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
29.10.2026

A.No. 141/26

29.10.2026

Present : Ms. Razia Sultan, Ld counsel for the appellant.
Ms. Heena Sharma, Ld proxy counsel for the respondent.

An application under Order XXII Rule 3 CPC to bring on record the legal heirs of deceased appellant filed, copy supplied.

As per the death certificate, the appellant passed away on 13.08.2026. The application is in time. The legal heirs are impleaded as appellants in the matter. Amended memo of parties be filed.

Application stands disposed of.

Put up for filing amended memo of parties and arguments on appeal on **16.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 174/26

29.10.2026

Present : Sh. Priyank Sharma, Ld. proxy counsel for the appellant.
Sh. Dharamvir Gupta , Ld counsel for the respondent.

An adjournment is sought on behalf of the appellant as main counsel Ms. Pooja Kumari is un-available today because of demise of her grandfather.

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 **01.02.2027**.

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 361/26

29.10.2026

Present : Sh. Mohinder Pal Singh, Ld counsel for the appellant along with appellant in person.
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel the respondent.

Record has not yet been submitted. Let notice to issued to the AO (South Zone) to appear in person before the Tribunal along with record on the next date of hearing.

Be awaited for record and arguments on **30.11.2026**.

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026

A.No. 583/26

29.10.2026

Present : Sh. Pawas Aggarwal, ld counsel for the appellant joined through VC.
Sh. Sachit Aeron, Ld. proxy counsel for the respondent. Fresh Vakalatnama filed, same is taken on record

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

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

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

At request, put up for arguments on **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
29.10.2026

A.No. 684/26

29.10.2026

Present : Sh. Ankit Verma, Ld counsel for the appellant.
Sh. Pulkit Garg, Ld. proxy counsel for Sh. Ashutosh Gupta, counsel 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 **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
29.10.2026

A.No. 877/24
Gaurav Arora and Ors. Vs. MCD

29.10.2026

Present : Dr. Gaurav Manuja, Ld counsel for the appellant joined through VC.
Ms. Mehak Arora, Ld counsel for the respondent.

Vide separate judgment of even date, the present appeal is allowed and the matter is remanded back to the Quasi Judicial Authority for deciding the same afresh.

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
29.10.2026

A.No. 548/25

29.10.2026

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

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

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

(AMIT KUMAR)
Addl. District & Sessions Judge
P.O.: Appellate Tribunal, MCD
29.10.2026