

A.No. 260/24

**02.05.2024**

Present : Sh. A.K. Mehta, Ld counsel for the appellant.  
Sh. S. Adil Hussain, Ld counsel for the respondent no. 1 along with Sh. Vinod Bansal, AE(B).

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

Respondent no. 2 has not yet been served.

Ld. counsel for the appellant submits that he had taken dasti summons to serve respondent no. 2 but respondent no. 2 started quarrelling with him.

The appellant needs to take the dasti summon from the Tribunal and also take the process server along with him to serve the notice upon respondent no. 2.

Issue fresh notice to respondent no. 2 on taking steps by the appellant. Notice be also given dasti.

Put up for service of respondent no. 2 on 31.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 291/24

**02.05.2024**

Present : Sh. Anuj Garg, Ld counsel for the appellant.  
Ms. Simran Avluck, Ld counsel for the respondent  
along with Sh. D.K. Meena, AE(B).

Status report filed. Copy supplied.

AE(B) submits that the electricity meter could not be verified as Sh. Desh Raj, who is the occupant of rear portion of the property, where electricity meter is installed did not allow him to carry out the inspection. He further submits that the appellant is having two properties, one is property no. C-24, Shera Mohalla, Village Garghi, New Delhi and another is part of property no. 28, Shera Mohalla, Village Garhi, New Delhi and the remaining part of property no. 28 is in the occupation of Sh. Desh Raj. He further submits that the demolition order is pertaining to property no. 28 only.

AE(B) concerned is directed to carry out inspection of portion of property no. 28, Shera Mohalla, Village Garhi, New Delhi, owned by the appellant and give extent of construction existing at the ground floor and upper floors of said portion along with photographs and video recording and also give the measurement of rooms existing at each floor.

The rear portion of property no. 28, which is under the occupation of Sh. Desh Raj be also inspected and extent of construction in that portion be also filed along with photographs and video recording on the next date of hearing.

In case any person creates hindrance in carrying out inspection of property no. 28, Shera Mohalla, Village Garhi, New Delhi, the concerned AE(B) is at liberty to take help of local police.

The SHO PS Amar Colony is directed to provide police assistance, if same is demanded for carrying out inspection to concerned AE(B).

The inspection shall be carried out on 06.05.2024 at 11.00 AM.

The appellant shall also remain present at site during inspection.

Put up for filing status report and disposal of this appeal on 16.05.2024.

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

Copy of this order be given dasti.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 80/24

**02.05.2024**

Present : Sh. Dhananjai Shekhawat, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Respondent has filed reply to the application for de-sealing filed by the appellant. Copy supplied.

Ld. counsel for the respondent is not available today due to some medical exigency at his home.

One opportunity is granted.

Re-notify for disposal of this appeal on 30.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 140/24 & 141/24

**02.05.2024**

Present : Ms. Parul Aggarwal, Ld counsel for the appellant with appellants no. 1 and 3 in person.  
Sh. Avishek Kumar, Ld counsel for the respondent along with Sh. Rohit Goel, AE(B).

Put up with connected case on 29.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 228/24

**02.05.2024**

Present : None for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.  
Vakalatnama filed. Same is taken on record.

Status report filed. Copy placed on record.

Reply to the application for condonation of delay filed.

Copy placed on record.

Re-notify for disposal of application as well as appeal  
on 05.07.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 566/18

**02.05.2024**

Present : Sh. H.Rehman, Ld counsel for the appellant.  
Sh. Sanjay Sethi and Sh. Dharamvir Gupta, Ld  
counsel for the respondent.

Put up with connected case on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 138/23

**02.05.2024**

Present : Sh. H.Rehman, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the  
respondent.

Put up with connected case on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**



A.No. 910/17

**02.05.2024**

Present : Sh. H.Rehman, Ld counsel for the appellant.  
Sh. H.R. Aggarwal, Ld counsel for the respondent.

Put up with connected case on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 881/17

**02.05.2024**

Present : Sh. H.Rehman, Ld counsel for the appellant.  
Sh. Sanjay Sethi, Ld counsel for the respondents no. 1 to 3.  
Sh. S.D. Ansari, Ld. counsel for respondent no. 4.

Appellant has filed certified copy of the documents as directed. Copy supplied.

Respondent no. 4 is directed to place on record the notification, in which, property of the appellant was included and shown as Waqf Property, on the next date of hearing.

Ld. counsel for the appellant submits that there are judgments, as per which, on the basis of some notification, a property would not become property of the Waqf Board.

Let the appellant bring those judgments on the next date of hearing.

Re-notify for filling notification and disposal of this appeal on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 489/16

**02.05.2024**

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

Matter is listed for disposal of this appeal but Ld. counsel for appellant is not available today.

In the interest of justice, one last and final opportunity is granted.

Re-notify for disposal of this appeal on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 466/22

**02.05.2024**

Present : Sh. Mehul Gupta, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer on behalf of the respondent.

Ld. counsel for the respondent is not available today due to some medical exigency at his home. A request for adjournment is prayed.

One last and final opportunity is granted to the respondent for advancing arguments.

Re-notify for disposal of this appeal on 05.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 362/23

**02.05.2024**

Present : Sh. Rishi Bhardwaj, Ld counsel for the appellant,  
joined through V.C.  
Sh. Tapan Veer, Ld. proxy counsel for Sh. Pawan  
Kaushik, Ld. counsel for the respondent no. 1.  
Sh. Prashant Singh, Ld. counsel for respondent no. 2.

Respondent no. 2 has filed reply to the appeal, copy of  
which has already been supplied.

Reply to the application for condonation of delay has  
not been filed by respondent no. 2.

Ld. counsel of respondent no. 2 submits that he has  
not received the application for condonation of delay.

Ld. counsel of the appellant is directed to supply copy  
of application for condonation of delay to Ld. counsel  
of respondent no. 2 within 2 days.

Respondent no. 2 shall file reply to the application for  
condonation of delay before the next date of hearing.

Put up for filing reply to the application for condonation  
of delay as well as for disposal of application as well  
as appeal on 08.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 294/24

**02.05.2024**

Present : Sh. Anuj Garg, Ld counsel for the appellant.  
Sh. V.K.Aggarwal, Ld counsel for the respondent.  
Memo of appearance filed.

Respondent shall file reply to the application for condonation of delay before the next date of hearing. Ld. counsel of appellant submits that an application for regularization filed by appellant has not yet been decided by the respondent since 2022.

Respondent is directed to file status report as to whether any application for regularization is filed by the appellant is pending for disposal, if yes, decide the said application and file status report along with copy of the order on the next date of hearing.

Appellant is directed to place on record copy of pleadings of partition suit filed by him against his brother before the next date of hearing.

Put up for filing status report, documents and disposal of application as well appeal on 03.06.2024.

In the meantime, respondent is restrained from taking any coercive action qua the property, subject matter of the present appeal pursuant to the impugned demolition order dated 15.04.2024, till the next date of hearing.

Copy of order be given dasti.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 160/24

**02.05.2024**

Present : Sh. Saifuddin Shamas, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer, MCD.

Respondent has not filed reply to the application for condonation of delay nor Ld. counsel of respondent is available today. It is pointed out that the maternal grandfather of Ld. counsel of respondent is hospitalized and serious in condition. Request for an adjournment is prayed.

One last and final opportunity is granted to the respondent to file reply by the next date of hearing.

Put up for filing reply and disposal of application as well as appeal on 09.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 365/23

**02.05.2024**

Present : Sh. Ankit Miglani, Ld counsel for the appellant.  
Sh. Bhavya Chauhan, Ld counsel for the respondent.

Respondent has filed status report on the previous date of hearing stating that property in question was not sealed under step -1, 2 or 3.

Respondent is directed to calculate the misuse charges of the property in question and file status report in this regard.

For calculating the misuse charges, respondent is permitted to desal the property temporarily and reseal the same after inspection and file status report on the next date of hearing.

Put up for filing status report and disposal of this appeal on 12.07.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**



A.No. 249/24

**02.05.2024**

Present : None for the appellant.  
Sh. Shilpa, proxy counsel for Sh. Akash Chatterjee,  
Ld. counsel for the appellant.

Reply to the application for condonation has been filed, copy placed on record.

Record has been brought, same be deposited in the Registry and tagged with this file.

Renotify for disposal of application and appeal on 06.06.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 230/24

**02.05.2024**

Present : Ms. Parul Aggarwal, Ld counsel for the appellant  
alongwith appellant No.1 & 3.  
Sh. Avishek Kumar, Ld counsel for the respondent  
alongwith Sh. Rohit Goel, A.E.(B).

Reply of the application for condonation of delay filed,  
copy supplied.

Appellant No.1 and 3 have also filed an affidavit in  
compliance of the last order. Appellant No.2 has not  
filed affidavit. It is pointed out that appellant No.2  
could not come in the court as he has got fractured.  
One opportunity is granted to the appellant No.2 to file  
affidavit by the next date of hearing.

Both the appellants present in the court submit that  
there is no person working in their house by the name  
of Sunita presently nor any person was available by  
the name of Sunita in their house on 16.10.2023 or  
28.10.2023.

The respondent is directed to file status report giving  
details as to who is Sunita, who as per tracking report  
received the show cause notice.

The concerned JE(B) who was posted at the time of  
service of show cause notice shall also remain present  
in person to apprise the court as to who from the  
family of the appellants refused to received the show  
cause notice as he reported.

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At the time when the property was booked, as per the photograph, same was under construction.

The appellants are directed to bring the contractor through whom they were getting the property constructed at the time when the show cause notice was served.

Put up for presence of JE(B) and presence of the contractor and appellant No.2 on 29.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 82/24

**02.05.2024**

Present : Sh. Naresh Kumar, Proxy counsel for the appellant.  
Ms. Renu Soni, Nodal Officer, MCD.

Reply to the application for condonation of delay has been filed, copy supplied.

Ld. counsel of appellant is not available. Request for adjournment is prayed.

One last opportunity is granted.

Put up for disposal of application and appeal on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No.809/23

**02.05.2024**

Present : Sh. Madhusudan Bhayana, Ld counsel for the appellant joined through VC alongwith Sh. Madhav, Advocate present in the court.  
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. Counsel for respondent.

Reply to the application for condonation of delay filed, copy supplied.

The appellant has placed on record copy of allotment letter dated 02.08.1988 annexed at page No.25 of the appeal.

Respondent is directed to verify as to whether the property in question is the same property, which was allotted to the grandmother of the appellant vide allotment letter dated 02.08.1988 annexed at page No.25 of the appeal.

Put up for filing status report, disposal of the application as well as appeal on 02.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 161/20 & 162/20

**02.05.2024**

Present : Sh. Varun Goswami, Ld counsel for the appellant.  
Sh. Dharamvir Gupta, Ld counsel for the respondent in appeal No.161/20.  
Sh. V.K. Aggarwal, Ld. counsel for respondent in appeal No.162/20.  
Sh. Deepak Vashisht, Ld. counsel for intervener joined through VC.

Part arguments heard.

Respondent is directed to carry out inspection of second floor of the property in question and give exact measurement of the construction existing at second floor, alongwith its photographs on the next date of hearing.

Put up for filing status report and disposal of the appeal on 05.08.2024.

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

Copy of the order be given dasti.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 596/14 & 597/14

**02.05.2024**

Present : Sh. Gaurav Singhal, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer, MCD.

Put up with connected appeal on 06.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 919/15

**02.05.2024**

Present : Sh. Ankit Kumar and Sh. Swetank Shantanu, Ld  
counsel for the appellant.  
Ms. Praveen Sharma, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish  
to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant  
has been recorded in this regard.

In view of the above facts and circumstances, the  
appeal filed by the appellant is dismissed as  
withdrawn.

Record of the respondent, if any, be returned  
alongwith copy of this order. Appeal file be consigned  
to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**



A.No. 882/15

**02.05.2024**

Present : Sh. Ankit Kumar and Sh. Swetank Shantanu, Ld  
counsel for the appellant.  
Ms. Praveen Sharma, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish  
to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant  
has been recorded in this regard.

In view of the above facts and circumstances, the  
appeal filed by the appellant is dismissed as  
withdrawn.

Record of the respondent, if any, be returned  
alongwith copy of this order. Appeal file be consigned  
to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 397/16

**02.05.2024**

Present : Sh. Ankit Kumar and Sh. Swetank Shantanu, Ld  
counsel for the appellant.  
Sh. Mohit Sharma, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish  
to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant  
has been recorded in this regard.

In view of the above facts and circumstances, the  
appeal filed by the appellant is dismissed as  
withdrawn.

Record of the respondent, if any, be returned  
alongwith copy of this order. Appeal file be consigned  
to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 878/15

**02.05.2024**

Present : Sh. Ankit Kumar and Sh. Swetank Shantanu, Ld  
counsel for the appellant.  
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish  
to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant  
has been recorded in this regard.

In view of the above facts and circumstances, the  
appeal filed by the appellant is dismissed as  
withdrawn.

Record of the respondent, if any, be returned  
alongwith copy of this order. Appeal file be consigned  
to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 880/15

**02.05.2024**

Present : Sh. Ankit Kumar and Sh. Swetank Shantanu, Ld  
counsel for the appellant.  
Sh. Sagar Dhama, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish  
to withdraw the present appeal.

Separate statement of the Ld. counsel of appellant  
has been recorded in this regard.

In view of the above facts and circumstances, the  
appeal filed by the appellant is dismissed as  
withdrawn.

Record of the respondent, if any, be returned  
alongwith copy of this order. Appeal file be consigned  
to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 268/24

**02.05.2024**

Present : Sh. Kartik Seth, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsel for respondent is not available due to some medical exigency at his home.

Ld. counsel for appellant has filed some compilation.

Ld. counsel for appellant also seeks some time to take instruction from the appellant as to whether she is willing to bring back the property in question within realm of sanctioned building plan.

In view of above circumstances, the arguments could not be heard.

Put up for disposal of this appeal on 06.05.2024.

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

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 226/20

**02.05.2024**

**File taken up today on an application for seeking early hearing and for placing on record documents.**

Present : Sh. H.L. Dasi, Ld counsel for the appellant.

The appeal itself is listed on 13.05.2024. No ground for early hearing is made out. Application for seeking early hearing is dismissed.

Put up for consideration on date already fixed i.e. 13.05.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 304/24

**02.05.2024**

Fresh appeal filed. It be checked and registered.

Present: Sh. Anil Kumar with Sh. Sanjay, Ld counsel for the appellant.

Issue notice of the appeal and application for stay to the respondents through concerned Chief Law Officer. AE(B) is directed to be present with the record of the proceedings, status report and reply on the next date of hearing.

Put up for arguments on 08.05.2024.

In the meantime, respondent is restrained from taking any coercive action qua the property, subject matter of the present appeal pursuant to the impugned demolition order dated 22.04.2024 till the next date of hearing.

Copy of the order be given dasti.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**

A.No. 305/24

**02.05.2024**

Fresh appeal filed. It be checked and registered.

Present: Sh. Rajesh Kumar Sharma, Ld counsel for the appellant alongwith appellant in person.

Ld. counsel for appellant submits that appellant wish to withdraw the present appeal with the liberty to approach appropriate forum.

Separate statement of the appellant has been recorded in this regard.

In view of the above facts and circumstances, the appeal filed by the appellant is dismissed as withdrawn with the liberty as prayed for.

Appeal file be consigned to record room.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**



A.No. 935/15, 932/15, 395/16, 396/16, 398/16, 399/16, 859/15,  
876/15, 877/15, 931/15, 861/15, 881/15, 933/15, 857/15,  
860/15 & 862/15

**02.05.2024**

Present : Sh. Ankit Kumar, Ld counsel for the appellant.  
Ms. Renu Soni, Nodal Officer, MCD in appeal nos.  
935/15, 932/15 & 881/15.  
Sh. Mohit Sharma, Ld. Counsel for the respondent in  
appeal no.395/16.  
Sh. Madan Sagar, Ld. Counsel for the respondent in  
appeal nos.396/16 & 399/16.  
Sh. V.K.Aggarwal, Ld. Counsel for the respondent in  
appeal no.398/16.  
Sh. Nahar Singh Yadav, Ld. counsel for the  
respondent in appeal nos.859/15, 877/15 & 861/15.  
Sh.H.R.Aggarwal, Ld. Counsel for the respondent in  
appeal no.876/15.  
Sh. Sagar Dhama, Ld. Counsel for the respondent in  
appeal no. 931/15.  
Ms. Manjusha Jha, Ld. Counsel for the respondent in  
appeal nos. 933/15, 857/15, 860/15 & 862/15.

Appellant has not placed on record the copy of  
application filed by him for regularization for cell tower  
in terms of settlement agreement dated 30.01.2017.

Ld. counsel of appellant submits that appellant is  
searching the said application and request for an  
adjournment.

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One last and final opportunity is granted to the appellant to place on record the said application, failing which no further opportunity shall be granted.

Put up for filing copy of the said application and for disposal of this appeal on 06.08.2024.

(PITAMBER DUTT)  
P.O : Appellate Tribunal:MCD  
**02.05.2024**