

A.No. 60/24

09.05.2024

Present : Sh. Mohit Rathi, Ld counsel for the appellant.
Sh. Sagar Dhama, Ld counsel for the respondent.

Reply to the application for condonation of delay filed.

Copy supplied.

Respondent is granted one last opportunity to place on record the standard plan of the flat in question.

Put up for filing standard plan and disposal of application as well as appeal on 09.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 284/21 & 285/21

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent
along with Sh. Maneesh Rajpal, Assistant Town
Planner, MCD.

Respondent has filed Status report, as per which,
DDA has sought certain information, which shall be
provided to them shortly.

One last and final opportunity is granted to the
respondent to file a comprehensive status report in
terms of the last order, failing which, the concerned
Deputy Commissioner shall remain present in person
on the next date of hearing.

Re-notify on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 286/21 & 287/21

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent
along with Sh. Maneesh Rajpal, Assistant Town
Planner, MCD.

Put up with connected case on 09.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 35/23

09.05.2024

Present : Sh. Suresh Chaudhary and Sh. Gagan Kumar Singhal, Ld counsel for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent along with Sh. Vinod Bansal, AE(B), Shahdara South Zone, MCD.

Status report filed. Copy supplied.

Ld. counsel of the appellant has shown page no. 97 of the appeal i.e. status report filed by the respondent in a civil suit, in which, there is a reference of the demolition orders dated 25.01.2018 and 15.02.2018. However, no record of said demolition orders have been filed on record.

Respondent is directed to file the original record of demolition orders dated 25.01.2018 and 15.02.2018 on the next date of hearing.

Re-notify for filing record and disposal of this appeal on 09.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 99/22(M)

09.05.2024

Present : Applicant / appellant in person.
Ms. Renu Soni, Nodal Officer on behalf of the non-applicant / respondent.

Applicant / appellant submits that the property in question has been de-sealed by the respondent, pursuant to the order passed by the Judicial Committee dated 18.08.2023, copy of which has been placed on record.

Respondent is directed to file status report whether the property in question has been de-sealed finally or not?

Put up for filing status report and disposal of this application on 30.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 07/23(M)

09.05.2024

Present : Ms. Renu Soni, Nodal Officer on behalf of the applicant /
respondent.

Non-applicant / appellant in person.

Put up with connected case on 30.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 633/22 & 634/22

09.05.2024

Present : Sh. Sanam Malhotra, Ld counsel for the appellant,
joined through V.C.
Sh. S. Adil Hussain, Ld counsel for the respondent.

Matter is listed for disposal of this appeal but Ld.
counsel for the appellant requests for an adjournment.
One last and final opportunity is granted to the
appellant for advancing arguments.

Re-notify for disposal of this appeal on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No 257/20

09.05.2024

Present : Sh. G.D. Mishra, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

Previous cost has been deposited.

Respondent has neither filed the reply to the application for condonation of delay nor submitted the original record of the sealing proceedings.

One last and final opportunity is granted to the respondent to submit the original record of sealing proceedings on the next date of hearing, failing which, concerned Deputy Commissioner shall remain present on the next date of hearing.

Reply to the application for condonation of delay shall also be filed on the next date of hearing.

Put up for filing the original record of sealing proceedings, filing reply to the application for condonation of delay and disposal of application as well as appeal on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 258/20 & 256/20

09.05.2024

Present : Sh. G.D. Mishra, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent.

Previous cost has been deposited.

Put up for disposal of this appeal with connected case
on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 255/19

Shanti Luthra & Ors

09.05.2024

Present : Sh. Anil Sethi, Ld counsel for the appellants no. 1 and 2.
Ms. Nandita Abrol, Ld. counsel for appellant no.3.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Status report filed. Copy supplied.

Arguments on application under Section 5 of the Limitation Act heard.

Vide separate order of even date, dictated and announced in the open Court, the application filed by appellants under Section 5 of the Limitation Act for seeking condonation of delay is allowed. The delay caused in filing of the accompanying appeal is condoned.

Arguments on appeal heard.

Vide separate order of even date, dictated and announced in the open Court, the appeal filed by the appellant is partly allowed. The impugned demolition order dated 14.03.2019 passed with respect to basement to second floor of the property bearing no. 12/402, Sunder Vihar, Paschim Vihar, New Delhi, is put in abeyance, till the protection granted by the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 is not withdrawn. The respondent is however at liberty to take appropriate

legal action once the protection granted by the Act is withdrawn, after giving due notice to appellant.

The appeal filed against demolition order dated 14.03.2019 with respect to the third floor of the property bearing no. 12/402, Sunder Vihar, Paschim Vihar, New Delhi is however dismissed.

The appellant shall not raise any unauthorized construction in the property in question.

The record of the respondent be send back alongwith copy of this order. Appeal file be consigned to record room after due compliance.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 327/24

09.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. J.S. Kalra, Ld counsel for the appellant.

Issue notice of the appeal and applications, if any, 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 20.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 329/24

09.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Mahesh Chand, Ld counsel for the appellant, joined through V.C. along with appellant present in the Court.

Ld. counsel for the appellant submits that the connected matter is listed for tomorrow. He also seeks time to file an application for condonation of delay.

On request, matter is adjourned.

Re-notify for filing application for condonation of delay and consideration on this appeal on 10.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 256/24 & 257/24

09.05.2024

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

Status report filed, copy supplied.

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

Copy of the reply to the application of condonation of delay has been supplied by the Ld. counsel of respondent to appellant. The respondent is directed to file reply on record before the next date of hearing.

Put up for filing reply as well as disposal of the application and appeal on 26.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 280/24 & 281/24

09.05.2024

Present : Ms. Parul Aggarwal , Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.
File memo of appearance, same is taken on record.

Status report has been filed, copy supplied.

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

Ld. counsel for appellant seeks some time to go through the record.

In the meantime respondent shall file reply to the application for condonation of delay.

A fresh status report be also filed stating as to who is Kailash, in whose name show cause notice and orders were passed?

The appellant shall also remain present on the next date of hearing.

Put up for filing status report, reply and for disposal of the application as well as appeal on 05.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 160/24

09.05.2024

Present : Sh.Saifuddin Shams, Ld counsel for the appellant
joined through VC.
Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsel of respondent is not available. He was not available on the last date of hearing as well.

Reply to the application for condonation of delay has not been filed by the respondent.

One last and final opportunity is granted to the respondent to file reply to the application for condonation of delay, failing which no further opportunity shall be granted.

Put up for filing reply and disposal of application as well as appeal on 17.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 789/23

09.05.2024

Present : Sh. Nazim Qureshi, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

Ld. counsel for appellant submits that he has filed this appeal against the order dated 03.08.2016, mentioned in para-6 of the appeal, however, in the prayer clause he has made a prayer in respect of some demolition action which was not in pursuance to the order dated 03.08.2016. The order dated 03.08.2016 is a sealing order.

One last and final opportunity is granted to the appellant to file an appropriate application for amendment, if any, failing which no further opportunity shall be granted.

Renotify for 08.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 275/22

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Shantanu Aggarwal, Ld counsel for the respondent.
Sh. Sunny Dagar, proxy counsel for intervener.

Respondent has filed reply of the application for condonation of delay, copy supplied.

Ld. counsel of intervener is not available due to some urgent piece of work at his home. A request for an adjournment is prayed.

Put up for disposal of the application as well appeal on 26.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 231/22

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Shantanu Aggarwal, proxy counsel for Sh. Chetan Hasija, Ld. counsel for respondent.
Sh. Sunny Dagar, proxy counsel for intervener.

Respondent has filed reply of the application for condonation of delay, copy supplied.

Ld. counsel of intervener is not available due to some urgent piece of work at his home. A request for an adjournment is prayed.

Put up for disposal of the application as well appeal on 26.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 98/23

09.05.2024

Present : Sh. Shiv Charan Garg, Ld counsel for the appellant.
Sh. Karan Gupta, Ld counsel for the respondent.
Sh. Bharat Kumar, Ld. counsel for the Intervener.

Respondent is directed to file photographs to show what construction was being carried out by the appellant at the time when property in question was booked.

Concerned A.E.(B) is directed to remain present in person on the next date of hearing on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 152/24

09.05.2024

Present : Sh. Rajeshwar Gupta, Ld counsel for the appellant.
Sh. Jainendra Kumar, Ld counsel for the respondent.
Fresh V/N filed by Ld counsel for respondent. It be taken on record.

Appellant has filed one application for condonation of delay, copy of which has been supplied to the Ld. counsel of respondent.

Respondent shall file reply to the application for condonation of delay before the next date of hearing.

Put up for filing reply and disposal of application as well as appeal on 12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 175/24

09.05.2024

Present : Sh. Savita Rastogi, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent no.1.
Sh. Satish Choudhary, Ld. counsel for respondent no.2 & 3.

Respondent nos.1, 2, & 3 filed reply to the application for condonation of delay, copy supplied.

Appellant is directed to file detail affidavit in support of application for condonation of delay by the next date of hearing.

Appellant shall also place on record the original of letter dated 18.01.2024, on the basis of which she made true copy and filed the same on record.

Put up for filing affidavit, letter dated 18.01.2024 and for disposal of application for condonation of delay as well as appeal on 08.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 533/23

09.05.2024

Present : Sh. G.D.Mishra, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Put up with connected appeal on 09.08.2024.
Interim order, if any, to continue till next date of
hearing.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 535/23

09.05.2024

Present : Sh. G.D.Mishra, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Appellant has placed on record a copy of the circular dated 18.01.2013, copy supplied. Ld. counsel of appellant relied upon the clause 4 of the said circular to support his case that notification dated 17.01.2011 is not applicable to the property in question, because in this case the property was sub divided prior 07.02.2007.

Ld. counsel of respondent seeks some time to take instruction.

Concerned A.E.(B) shall remain present in person on the next date of hearing.

One last opportunity is granted.

Put up for disposal of this appeal on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 90/24

09.05.2024

Present : Sh. Amit Rathor, Ld counsel for the appellant
alongwith appellant in person.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Appellant is directed to file detailed affidavit in support
of application of condonation of delay before the next
date of hearing.

Put up for filing affidavit and disposal of the application
as well as appeal on 08.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 84/24

09.05.2024

Present : Sh. Amit Rahtor, Ld counsel for the appellant
alongwith appellant in person.

Ms. Praveen Sharma, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish to withdraw the present appeal with the liberty to file an application for regularization with the MCD as per law within three weeks from today.

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.

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
09.05.2024

A.No. 34/23

09.05.2024

Present : Sh. Suresh Chaudhary and Gagan Kumar Singhal, Ld
counsel for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish to withdraw the present appeal with the liberty to file application for regularization with the MCD as per law within four weeks from today.

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.

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
09.05.2024

A.No. 205/13

09.05.2024

Present : Sh. Vikas Sharma, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent
No.1.
Sh. Saurabh Sharma, Ld. Counsel for the respondent
no.2 to 4.

Respondent, MCD is directed to file status report
stating in it as to how show cause notice was served
upon the appellant along with proof?

Put up for filing status report and disposal of this
appeal on 12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 329/18 & 330/18

09.05.2024

Present : Sh. Saurabh Sharma, Ld counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
No.1, joined through VC.
Sh. Vikas Sharma, Ld. counsel for respondent No.2.

Respondent MCD is directed to file status report
stating in it as to how show cause notice was served
upon the appellant along with proof?

Put up for filing status report and disposal of this
appeal on 12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 145/20

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. R.K. Singh, Ld. counsel for applicant.

Appellant has not filed reply to the application under Order 1 Rule 10 CPC despite granting opportunity. Opportunity to file reply is closed.

Vide this application applicant Sh. Akhilesh Gupta has sought his impleadment in the present appeal, however, he cannot be impleaded in the present appeal, as the demolition order has been passed against the property of the appellant, against which the present appeal has been filed.

The applicant, however can be permitted to advance the arguments and file documents, which are relevant to the Lis in terms of the order passed by the Hon'ble High Court in **Hardayal Singh Mehta & Anr vs MCD.**

In view of the above facts and circumstances, the present application for seeking impleadment is dismissed. However, appellant is permitted to advance arguments and file documents, which are relevant to the list in terms of **Hardayal Singh Mehta & Anr vs MCD.**

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Put up for disposal of the application for condonation of delay as well as appeal on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 144/20

09.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Sh. R.K. Singh, Ld. counsel for applicant.

Appellant has not filed reply to the application under Order 1 Rule 10 CPC despite granting opportunity. Opportunity to file reply is closed.

Vide this application applicant Sh. Akhilesh Gupta has sought his impleadment in the present appeal, however, he cannot be impleaded in the present appeal, as the demolition order has been passed against the property of the appellant, against which the present appeal has been filed.

The applicant, however can be permitted to advance the arguments and file documents, which are relevant to the Lis in terms of the order passed by the Hon'ble High Court in **Hardayal Singh Mehta & Anr vs MCD.**

In view of the above facts and circumstances, the present application for seeking impleadment is dismissed. However, appellant is permitted to advance arguments and file documents, which are relevant to the list in terms of **Hardayal Singh Mehta & Anr vs MCD.**

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Put up for disposal of the application for condonation of delay as well as appeal on 09.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 436/23

09.05.2024

Present : None for the appellant.
Sh. Shiv Dutt Kaushik, Ld counsel for the respondent
joined through VC.

None has appeared on behalf of appellant.

One last opportunity is granted to the appellant for
advancing the arguments subject to cost 3000/- to be
deposited in the registry of this Tribunal.

Put up for depositing cost and disposal of application
and appeal on 08.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 771/22 & 772/22

09.05.2024

Present : Ms. Vaishali proxy counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
joined through VC.

Copy of reply of the application for condonation of delay has been supplied to the proxy counsel for appellant from the record.

Ld. counsel for appellant is not available. He has even not filed the documents as directed vide order dated 30.11.2023.

In the interest of justice, one last and final opportunity is granted to the appellant to file documents and come prepare for advancing the arguments on the next date of hearing subject to cost of Rs.3,000/- to be deposited with the Registry of this Tribunal.

Put up for filing documents and for disposal of the appeal on 12.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 789/22

09.05.2024

Present : Sh. Vikas Dudeja, Ld. counsel for the appellant.
Sh. Ranjit Pandey, Ld counsel for the respondent
joined through VC.

Put up for disposal with connected appeal on
12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 124/15

09.05.2024

Present : Sh. Irfan, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent
No.1.
None for respondent No.2.
Sh. Imran Ali, Ld. counsel for intervener.

After some arguments, Ld. counsel for appellant
request for an adjournment on the ground that he has
to rush to Hon'ble High Court for some urgent matter
as such he is not available after lunch.

On his request, matter is adjourned.

Put up for disposal of the appeal on 12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 575/23

09.05.2024

Present : Sh. Shiv Charan Garg , Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Status report filed, copy supplied.

Put up for disposal of this appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 576/23

09.05.2024

Present : Sh. Shiv Charan Garg , Ld counsel for the appellant.
Ms. Parveen Sharma, Ld counsel for the respondent.

Status report filed, copy supplied.

Put up for disposal of this appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 302/23

09.05.2024

Present : None for the appellant.
Sh. Sanjeev Kumar Yadav, Ld counsel for the respondent.

Since morning despite various calls none has appeared on behalf of appellant nor the previous cost of Rs.5,000/- has been deposited.

It is 02.15 PM. Present appeal is dismissed for non-prosecution. Record of the respondent if any be returned along with copy of this order and appeal file be consigned to record room.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 323/24

09.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Anuj Garg, Ld counsel for the appellant.

Issue notice of the appeal and applications, if any, 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 16.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 326/24

09.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Pratyush Nilotapal, Ld counsel for the appellant.

Issue notice of the appeal and applications, if any, 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 20.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024

A.No. 93/24 (M)

09.05.2024

File taken up today on an application for seeking restoration of the appeal.

Present: Sh. Hansraj, Ld counsel for the appellant.

Issue notice of the of the application upon the respondent for 22.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
09.05.2024