

A.No. 143/24

13.05.2024

Present :

Sh. Kadam Kharb, Ld counsel for the appellant.

Sh. Prabhakar Mani Tripathi, Ld counsel for the respondent along with Sh. Amit Rana, ALO, Rohini Zone and Sh. Pradeep Kumar, AE(B), Rohini Zone, MCD.

An exemption application has been filed on behalf of the Deputy Commissioner for seeking exemption from personal appearance for today. Application is allowed. Exemption is granted for today only.

Status report filed. Copy supplied.

There is a reference of inspection carried out from the point of view of Building Bye-Laws, prior to issuance of show cause notice, however, said inspection report has not been filed in the record.

The report of inspection which was conducted before issuing the show cause notice be filed by the next date of hearing.

The concerned Deputy Commissioner shall also join the proceedings personally or through V.C. on the next date of hearing.

Re-notify for filing inspection report, presence of Deputy Commissioner and disposal of this appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 255/24

13.05.2024

Present : Sh. Rakesh Tikku, Ld. Senior Counsel along with Sh. Kunal Mehta and Sh. Virender Mehta, Ld counsels for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the respondent along with Sh. Kuldeep Narwal, AE(B).

Sh. Adab Singh Kapoor, Ld. counsel for the intervener, joined through V.C. along with Sh. Atul Kharbanda, Ld. counsel, present in the Court.

Status report has been filed, giving details of the deviation / excess coverage, unauthorized construction in old construction existing in the property in question. It is mentioned in the status report that there appears one more farm house, apart from the amalgamated farm houses in the property in question. Copy supplied.

Ld. Senior counsel of the appellant submits that another farm house is in the name of Hamlet Farm House, which is owned by the intervener.

Parties concerned are directed to place on record requisite documents with respect to Hamlet Farm House along with sanction letter, if any on the next date of hearing.

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Put up for placing on record documents and disposal
of this appeal on 21.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 238/24
13.05.2024

Present :

Sh. Dalip Rastogi, Ld counsel for the appellant.

Ms. Renu Soni, Nodal Officer on behalf of the respondent along with Sh. Kuldeep Narwal, AE(B).

Sh. Adab Singh Kapoor, Ld. counsel for the intervener, joined through V.C. along with Sh. Atul Kharbanda, Ld. counsel for the intervener, present in the Court.

Status report has been filed, giving details of the deviations existing in the property in question.

Ld. counsel for the respondent is not available today.

Put up for disposal of this appeal with connected case on 21.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 194/24 & 195/24

13.05.2024

Present : Sh. Naushad, Ld counsel for the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent (in appeal no. 194/24).
Ms. Renu Soni, Nodal Officer on behalf of the respondent. (in appeal no. 195/24).
Along with Sh. Amit Rana, ALO, Rohini Zone and Sh. Pradeep Kumar, AE(B), Rohini Zone, MCD.

An exemption application has been filed on behalf of the Deputy Commissioner for seeking exemption from personal appearance for today. Application is allowed. Exemption is granted for today only.

Status report filed. Copy supplied.

There is a reference of inspection carried out from the point of view of Building Bye-Laws, prior to issuance of show cause notice, however, said inspection report has not been filed in the record.

The report of inspection which was conducted before issuing the show cause notice be filed by the next date of hearing.

The concerned Deputy Commissioner shall also join the proceedings personally or through V.C. on the next date of hearing.

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Re-notify for filing inspection report, presence of Deputy Commissioner and disposal of this appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 175/23, 176/23 & 689/22

13.05.2024

Present : Appellant in person.
Ms. Bhavya Chauhan, Ld. counsel for the respondent
(in appeals no. 175/23 & 176/23)
Sh. Pawan Kaushik, Ld counsel for the respondent. (in
appeal no. 689/22).

Appellant has not filed her affidavit as directed vide
last order despite opportunity.

One last and final opportunity is granted to the
appellant to file her affidavit, subject to cost of Rs.
1,000/- to be deposited with the Registry of this
Tribunal.

It is made clear that no further opportunity shall be
granted.

Re-notify for depositing the cost and disposal of this
appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 289/21

13.05.2024

Present : Sh. B.L. Gupta, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

This appeal has been filed against order dated 28.07.2021, whereby the application for regularization filed by the appellant was dismissed.

The concerned AE(B), who passed the order dated 28.07.2021 and the present AE(B), both shall remain present in person on the next date of hearing to apprise the Court, on what ground the previous application for regularization was rejected.

Re-notify for arguments on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 580/22

13.05.2024

Present : Sh. Gaurav Sharma, Ld counsel for the appellant,
appeared through V.C.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for the appellant submits that he seeks his discharge in the present case. He is directed to take proper steps as per the Advocate's Act.

Another counsel Sh. Anurup has appeared on behalf of appellant, through V.C. He seeks sometime to file his vakalatnama.

One last and final opportunity is granted to the appellant to bring her counsel for advancing arguments on the next date of hearing, subject to cost of Rs. 5,000/- to be deposited with the Registry of this Tribunal.

It is made clear that no further opportunity shall be granted.

Re-notify for depositing the cost and disposal of this appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 553/23

13.05.2024

Present : Sh. P.S. Mahar, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

Reply to the application for amendment filed. Copy supplied.

Appellant has filed an application under Order VI Rule 17 CPC for seeking incorporation of dates of demolition order dated 02.01.2020, passed with respect to ground floor to second floor and demolition order dated 22.06.2020, passed with respect to fourth floor of the property in question, which came to the knowledge of the appellant during the pendency of the appeal and also for deletion of existing prayer and incorporation of prayer with regard to these orders.

The respondent has filed reply, thereby controverted the averments mentioned in the application. It is prayed that application may be dismissed.

I have heard Ld. counsel for the appellant, Ld. counsel for the respondent and perused the application and reply thereto.

Vide this application, appellant is seeking permission to impugn the demolition orders dated 02.01.2020 and 22.06.2020, passed with respect to the property in question on the ground that none of these orders were served upon the appellant in accordance with law and

appellant came to know about these demolition orders after filing of the present appeal.

The amendments sought to be incorporated are just and necessary for the complete adjudication of the lis involved in the present appeal.

In view of the above facts and circumstances, the application filed by the appellant under Order VI Rule 17 CPC is allowed. The proposed amendments are allowed to be incorporated in the present appeal.

Amended appeal is taken on record.

Ld. counsel for the appellant submits that appellant has applied for regularization on 06.05.2024.

The respondent is directed to decide the said application before the next date of hearing and file status report in that regard on the next date of hearing.

Put up for filing status report and disposal of application as well as appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 736/23

13.05.2024

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

Reply to the application for condonation of delay filed.

Copy supplied.

Status report filed. Copy supplied.

Record has already been submitted.

Ld. counsel for the appellant seeks sometime to go through the record.

Let him do so.

Put up for disposal of application as well as appeal on 13.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 25/23(M)

13.05.2024

Present : Sh. Sumit Rana, Ld counsel for the applicant /
appellant.
Sh. V.K. Aggarwal, Ld counsel for the non-applicant /
respondent.

Previous cost has been deposited.

This application has been filed for seeking restoration of appeal, which was dismissed in default on 02.01.2023 along with application for condonation of delay.

It is averred in the application that proxy counsel of previous counsel of appellant informed the appellant about the next date of hearing as 22.02.2023 and when appellant came in the Court on that date, he did not find his case and on inquiry, it was revealed that the case was dismissed in default on 02.01.2023. On that basis, application for restoration of present appeal has been filed.

Non-applicant / respondent has filed reply, thereby controverted the averments mentioned in the application. It is averred that no ground has been mentioned in the application for seeking restoration of appeal along with application for condonation of delay. It is prayed that applications may be dismissed.

I have heard Ld. counsel for the applicant / appellant, Ld. counsel for the non-applicant / respondent and perused the application and reply thereto as well as the record.

The present appeal was dismissed in default on 02.01.2023 for non-appearance of counsel for the appellant.

The appellant took a plea that proxy counsel of his previous counsel informed him about the next date of hearing as 22.02.2023, due to which, he could not appear on 02.01.2023 and his previous counsel had also not appeared on that date, when the case was taken up for hearing.

No prejudice would be caused to the respondent, if the appeal is restored and heard on merits.

In view of the above facts and circumstances, the application for condonation of delay as well as application under Section 151 of CPC for seeking restoration of appeal are allowed, subject to cost of Rs. 3,000/- to be deposited with the Registry of this Tribunal. Order dated 02.01.2023 is recalled.

The appeal is restored to its original number and position.

The respondent is directed to submit the original record before the next date of hearing.

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Put up for depositing the cost and disposal of this appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 433/22

13.05.2024

Present : None for the appellant.
Sh. Sanjay Sharma, Ld counsel for the respondent,
joined through V.C.

None has appeared on behalf of the appellant since morning despite repeated calls.

In the interest of justice, on last and final opportunity is granted to the appellant, subject to cost of Rs. 3,000/- to be deposited with the Registry of this Tribunal.

Re-notify for depositing the cost and disposal of this appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 555/18

13.05.2024

Present : Sh. S.D. Ansari, Ld counsel for the appellant.
Sh. R.K. Kaushik, Ld counsel for the respondent.

Ld. counsel for the appellant seeks sometime to file application for condonation of delay.

One last and final opportunity is granted to the appellant for filing application for condonation of delay, advance copy of the application be supplied to Ld. counsel of respondent at least 2 weeks before the next date of hearing, so that he can file reply to the same before the next date of hearing.

Re-notify for filing application for condonation of delay, its reply and disposal of application as well as appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 639/19

13.05.2024

Present : None for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent.
None for the intervener.

Since morning despite various calls, none has appeared on behalf of appellant nor previous cost of Rs. 2,000/- has been deposited. It is 02.10 PM. The 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
13.05.2024

A.No.395/19

13.05.2024

Present : None for the appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent.
None for the intervener.

Since morning despite various calls, none has appeared on behalf of appellant nor previous cost of Rs. 2,000/- has been deposited. It is 02.10 PM. The 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
13.05.2024

A.No. 306/24

13.05.2024

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

Status report has been filed, copy supplied.

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

Respondent is directed to 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 21.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 307/24

13.05.2024

Present : Sh. Varun Nischal, Ld counsel for the appellant.
Sh. Prabhakarmani Tripathi, Ld. counsel for the respondent. File Memo of appearance. It be 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.

Respondent is directed to 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 21.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 205/24

13.05.2024

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

An application for exemption from personal appearance of Dy. Commissioner has been filed on the ground that Dy. Commissioner is busy in conducting the election.

Exemption is allowed only for today with the direction to Dy. Commissioner to remain present in person on the next date of hearing either physical or through VC. Put up for the presence of the Dy. Commissioner and for disposal of appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 216/24

13.05.2024

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

Reply to the application u/s 5 of the Limitation Act has been filed, copy placed on record.

Put up for disposal of the application as well as appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 459/23 & 460/23

13.05.2024

Present : Sh. Sanjay Sharma, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent.

Ld. counsel of appellant submits that he has placed the order mentioned in para no. 21-22 at page 59 of the Writ Petition.

The said order however is dated 10.02.2023 and not 04.02.2023.

Ld. counsel of appellant submits that the order is dated 10.02.2023 and not 04.02.2023 and there is wrong assertion in this regard in para no.21-22 of the Writ Petition as well as in the index of the said writ petition.

The appellant is directed to file an affidavit in this regard before the next date of hearing.

Put up for filing affidavit and disposal of pending application as well as appeal on 25.07.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 179/24

13.05.2024

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

Respondent has not filed any report regarding notification dated 25.09.2020 vide which the area in question was put at the disposal of DDA for the purpose of development and maintenance.

The respondent is directed to file status report as to when the area in question has been put at the disposal of DDA then how MCD got the jurisdiction to initiate the proceedings against the property in question.

Put up for filing status report and disposal of the appeal on 06.06.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 780/16

13.05.2024

Present : Ms. Rajni Luk, Ld counsel for the appellant.
Sh. Sanjay Sharma, Ld counsel for the respondent
joined through VC alongwith Sh. Dharambir Singh,
Consultant, NDMC present in the court.

Appellant has supplied another copy of the application
under Order 6 Rule 17 to the official of the respondent
present in the court.

Respondent is directed to file reply of the application
by the next date of hearing.

Put up for filing reply and disposal of the application
on 08.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 448/21

13.05.2024

Present : Sh. Rohit Jain, Ld counsel for the appellant joined through VC.
Sh. Sanjay Sharma, Ld counsel for the respondent along with Sh. Dharambir, Consultant.

Ld. counsel of appellant has pointed out that writ petition against the policy issue by the respondent regarding installation of boosters has been stayed by the Hon'ble High Court and a writ petition in this regard is listed for disposal today.

Ld. counsel of appellant request for an adjournment.

On request, matter is adjourned.

Put up for disposal of this appeal on 12.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 513/23

13.05.2024

Present : Sh. Vikarm Aggarwal, Ld counsel for the appellant.
Sh. Chetan Hasija, Ld counsel for the respondent along with Sh. Vipin Kumar, EE(B) & Sh. Rajbir Singh, A.E.(B).

Ld. counsel of appellant submits that the notice was given by mentioning some other property number whereas property against which the demolition order was passed and which has been sealed is property no.259 in which electricity connection in the name of appellant Sh. Sunil, is also installed, bill of which has been annexed at page 28.

Respondent is directed to carry out inspection of property in question on 20.05.2024 at 12:00 O'clock in the presence of appellant and verify, if the electricity meter, bill for which annexed at page 28, is installed in the property or not?

For the purpose of carrying out inspection, the respondent is permitted to desal the property temporary and reseal the same after carrying out inspection.

Put up for filing status report and disposal of appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 476/23

13.05.2024

Present : Sh. Vikarm Aggarwal, Ld counsel for the appellant.
Sh. Dharambir Gupta, Ld counsel for the respondent along with Sh. Vipin Kumar, EE(B) & Sh. Rajbir Singh, A.E.(B).

Ld. counsel of appellant submits that the notice was given by mentioning some other property number whereas property against which the demolition order was passed and which has been sealed is property no.259 in which electricity connection in the name of appellant Sh. Sunil, is also installed, bill of which has been annexed at page 28.

Respondent is directed to carry out inspection of property in question on 20.05.2024 at 12:00 O'clock in the presence of appellant and verify, if the electricity meter, bill for which annexed at page 28, is installed in the property or not?

For the purpose of carrying out inspection, the respondent is permitted to deseal the property temporary and reseal the same after carrying out inspection.

Put up for filing status report and disposal of appeal on 20.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 407/23

13.05.2024

Present : Sh. Kshitij Goel, Ld counsel for the appellant.
Sh. Sandeep Kumar, Ld. counsel for respondent.

In the status report dated 17.11.2023 there is a mention that inspection was carried out from the point of view of Building Bye-laws only, however, no such inspection report is available in record.

The respondent is directed to file said inspection report by the next date of hearing.

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

Put up for filing status report and disposal of the appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 434/23 & 415/23

13.05.2024

Present : Sh. Sanjay Kumar, Ld counsel for the appellant.
Sh. S.Adil Hussain , Ld counsel for the respondent in
appeal no.415/23.
Sh. Tarun Sabharwal, Ld. counsel for the respondent
in appeal no.434/24.

Put up for disposal of this appeal with connected
appeal on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 363/15

13.05.2024

Present : Sh. R.K. Bedi, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent.
Sh. Viplav Sharma, Ld. counsel for intervener joined through VC.

Ld. counsel for intervener request for an adjournment on the ground that he is in abroad and would advance the arguments on the next date of hearing.

One last and final opportunity is granted.

Put up for disposal of the appeal on 16.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 479/15

13.05.2024

Present : Sh. Viplav Sharma, Ld. counsel for appellant joined through VC alongwith Sh. Vijay Gupta, Advocate present in the court.

Sh. Anubhav Gupta, Ld. counsel for respondent.

On the request of Ld. counsel of appellant, matter is adjourned.

Put up for disposal of the appeal on 16.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 394/13

13.05.2024

Present : Sh. Ashish Kumar, Ld counsel for the appellant.
Sh. A.L.Agnihotri, Ld counsel for the respondent.

Status report has not been filed pursuant to the last order despite direction.

A show cause notice be issued to the concerned Dy. Commissioner to remain present in person on the next date of hearing and assign reasons as to why the order dated 29.02.2024 has not been compiled with?

Put up for presence of the Dy. Commissioner, filing status report and disposal of appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 374/11 & 375/11

13.05.2024

Present : Sh. Ashish Kumar, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent.

Put up for disposal with connected appeal on
14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 22/24

13.05.2024

Present : Sh. Himanshu Sharma proxy counsel for the
appellant.

Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsels of both the parties are not available.

A request for an adjournment is prayed.

One last opportunity is granted.

Put up for disposal of the appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 425/14

13.05.2024

Present : Sh. Rakes Tiku, Ld. Senior Counsel alongwith Sh.
Monu Kumar, Advocate.
Ms. Renu Soni, Nodal Officer, MCD.

Ld. Senior Counsel seeks some time as his associate
counsel is not available today.

Ld. counsel for respondent is also not available.

One last opportunity is granted.

Put up for disposal of the appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 745/23

13.05.2024

Present : Sh. Hardhik Aggarwal, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent
alongwith Sh. Sajid Ali, JSA.

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

Respondent has not filed verification report of house tax receipt annexed at page 48 to 52.

One last opportunity is granted to the respondent to file verification report, failing which concerned Dy. Commissioner shall remain present in person on the next date of hearing.

Put up for filing verification report and disposal of application as well as appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 801/23

13.05.2024

Present : Sh. Hardhik Aggarwal, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer, MCD alongwith Sh.
Sajid Ali, JSA.

Put up with connected appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 226/20

13.05.2024

Present : Sh. H.L.Dassi, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer, MCD.

Respondent has placed on record status report along with copy of the order dated 16.06.2020 passed in WP (C) no.3534/2020 on the basis of which property in question was booked.

Ld. counsel of respondent is not available today.

One last opportunity is granted to the respondent.

Put up for disposal of this appeal on 15.05.2024

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 234/17

13.05.2024

Present : Clerk of counsel of the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent.

Ld. counsel of appellant is not available.

An application for adjournment has been filed on the ground that Ld. counsel has to appear as a witness in some criminal case due to which he is not available. He was also not present on the last date of hearing, However, in the interest of justice one last opportunity is granted.

Put up for disposal of appeal on 22.08.2024.

It is made clear that no further opportunity shall be granted.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 233/17

13.05.2024

Present : Clerk of counsel of the appellant.
Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsels of both the parties are not available.
One last opportunity is granted.
Put up for disposal of appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 102/18

13.05.2024

Present : Sh. Ankur , Proxy counsel for the appellant.
Sh. K.K.Arora, Ld counsel for the respondent.

Amended memo party has already on record.

Ld. counsel of appellant is not available for advancing the arguments. He was also not present on the last date of hearing as well.

In the interest of justice, one last opportunity is granted to the appellant to advance the argument subject to cost of Rs.5000/- to be deposited in the registry of this Tribunal.

Put up for payment of cost and for disposal of this appeal on 13.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 210/18

13.05.2024

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

The appellant has filed an application under Order VI Rule 17 CPC whereby appellant has sought permission to challenge the demolition order dated 01.02.2012 , which as per the appellant came to his knowledge after filing of the present appeal.

The appellant cannot include the said demolition order by way of amendment in the present appeal. The appellant need to file a separate appeal against that order.

In view of the above facts and circumstances, the application filed under Order VI Rule 17 CPC for seeking amendment is dismissed. The appellant is, however, had liberty to file an appeal against the said order in accordance with law.

Put up for disposal of this appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 209/18

13.05.2024

Present : Ms. Ashu Arora, Ld counsel for the appellant.
Sh. R.K. Kashyap, Ld counsel for the respondent.

After some arguments, Ld. counsel for appellant submits that appellant may be allowed to file fresh application for regularization within a period of three weeks.

Let the appellant file an application for regularization as prayed.

If any such application is filed by the appellant within three weeks, then respondent shall consider the same and decide the said application by the next date of hearing.

Put up for filing status report and for disposal of application as well as appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 345/18

13.05.2024

Present : Sh. Abhijit Paliwal, Ld counsel for the appellant joined through VC along with Sh.Puran Chand father of appellant present in the court.

Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsel of appellant submits that he has instructions to withdraw the present appeal but request for an adjournment for appearing in the court.

On request matter is adjourned for 20.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 331/24 & 332/24

13.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Arman Monga, 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 21.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 333/24

13.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Chirag Anand, Ld counsel for the appellant.

Issue notice of the appeal and application for condonation of delay 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 22.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 334/24

13.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. H.S.Sharma, 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 27.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 336/24

13.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh.Ankush Narang & Ritika Godhwani, 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.

Ld. Counsel for appellant submits that he has filed an application for seeking ex-parte interim stay.

Considering the fact and circumstances and submission made by the Ld.Counsel of appellant and keeping in view observations made in the demolition order dated 26.04.2024, the respondent is restrained from taking any coercive action qua the property, subject matter of the present appeal pursuant to the impugned demolition order dated 26.04.2024 till the next date of hearing.

Put up for arguments on 20.05.2024.

Copy of order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 340/24

13.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Prawir Chandra , Ld counsel for the appellant.

Issue notice of the appeal and application for condonation of delay 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.

Ld. counsel for appellant submits that he has filed an application for ex-parte stay.

No ground for ex-parte stay is made out as appellant has not placed any cogent proof to show that construction in question has been in existence prior to 01.06.2024.

Put up for arguments on 17.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024

A.No. 94/24(M)

13.05.2024

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

Present : Sh. Kautilya Kaushik, Ld counsel for the appellant.

Issue notice of the application upon the respondent for 27.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
13.05.2024