

A.No. 264/23, 265/23, 266/23, 267/23, 776/22 & 777/22

16.05.2024

Present : Ms. Bandana Kaur Grover, Ld counsel for the appellant.

Sh. Akhil Mittal, Ld counsel for the respondent along with Sh. D.K. Meena, AE(B).

Status report filed along with photographs filed. Copy supplied.

As per the status report, appellant has by and large brought back the property in consonance with the sanction building plan, except that the stair case is not constructed from stilt to basement, though provision for the same has been made. It is also mentioned in the status report that 3 number of beams are also existing, though open space has been made available. Appellant is granted one last and final opportunity to construct the staircase from stilt to basement in consonance with the sanction building plan.

For that purpose, respondent is directed to de-seal the property in question, once and for all finally, for a period of 7 days on 17.05.2024 at 10.00 AM and re-seal the same on 24.05.2024, after carrying out the inspection.

The respondent shall file status report along with photograph, mentioning whether the staircase leading from stilt to basement has been constructed or not?

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Appellant has not filed affidavit as directed vide last order.

One last and final opportunity is granted to the appellant to file affidavit in consonance with the last order.

Re-notify for filing status report, affidavit and disposal of this appeal on 29.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 753/23

16.05.2024

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

Ld. counsel for the appellant submits that the pillars constructed for raising balcony are otherwise are coming under ground coverage sanctioned initially.

Respondent is directed to verify the said fact and file status report, whether area where pillars are constructed for raising balcony are coming under the area of ground coverage, earlier sanctioned or not?

Put up for filing status report and disposal of this appeal on 20.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 219/11

Vijay Aggarwal Vs NDMC

16.05.2024

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

This appeal has been filed against impugned order dated 31.05.2007, whereby an application filed by the appellant for seeking regularization of second floor of the property bearing no. 4/18, East Patel Nagar, New Delhi was rejected.

Ld. counsel for the appellant submits that appellant filed an application for regularization, mentioning his portion as second floor of the property, whereas, in fact, the portion owned by the appellant is at the first floor, which is also clear from the counter affidavit filed by the MCD in writ petition being W.P (C) no. 4629/2007. He further submits that the portion of appellant has been shown as first floor in the sale deed also.

Ld. counsel for the respondent submits that Floor Wise Policy has been introduced on 28.06.2022 and appellant can apply for regularization of his portion under that policy. He further submits that the application filed by the appellant is otherwise not maintainable as he had applied for regularization of second floor, whereas he is the owner of the first floor of the property.

I have heard Ld. counsel for the appellant, Ld. counsel for the respondent and perused the appeal, impugned order, as well as the record.

The appellant has challenged the impugned order of rejection of regularization dated 31.05.2007, vide which, application for regularization with respect to second floor of the property in question was rejected on the ground that as per the norms, an individual floor of a property cannot be regularized.

The said observation of the Quasi Judicial Authority is though incorrect because the individual floor owners are entitled to get their portion regularized if their portion is as per building norms. However, fact remains that appellant had not applied for regularization of his floor i.e. first floor of the property but had applied for regularization of second floor, which is not owned by the appellant.

Ld. counsel of appellant himself has stated that the flat of the appellant is at the first floor of the property in question, but because of the defective height of the building, the appellant was of the view that his flat was situated at the second floor.

The appellant could have applied for regularization with respect to his flat existing in the property in question, which is admittedly at the first floor,

whereas, appellant had applied for regularization of the second floor of the property in question, which is not owned by him.

The application for regularization filed by the appellant was thus not maintainable.

Even otherwise, Floor Wise Policy has been introduced on 28.06.2022. The appellant and other co-owners of the property can apply afresh for seeking regularization of their respective portions under the said policy.

In view of the above facts and circumstances, the appeal filed by the appellant is disposed off with the liberty to the appellant to file a fresh application for regularization as per the Floor Wise Policy dated 28.06.2022.

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
16.05.2024

A.No. 66/21

16.05.2024

Present : Sh. Anil Kumar, Ld. counsel for the appellant. Filed Vakalatnama, same is taken on record.
Sh. H.R. Aggarwal, Ld counsel for the respondent.

Previous cost has been deposited.

Matter is listed for arguments but Ld. counsel of the appellant requests for an adjournment.

Vide last order, appellant was granted last opportunity to advance the arguments subject to cost.

Despite granting one last and final opportunity with cost, Ld. counsel of appellant is not ready to advance arguments.

In the interest of justice, one last and final opportunity is granted to appellant to bring his counsel, who can advance arguments on the next date of hearing, subject to cost of Rs. 5,000/-.

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

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 534/22

16.05.2024

Present : Sh. Abhay Anand, Ld counsel for appellants with appellants in person.
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Pritish Sabharwal, Ld. counsel for the respondent.

Reply to the application for amendment filed. Copy supplied.

This appeal has not been filed against the demolition order but has been filed against a letter, vide which, demolition charges were sought to be recovered from the appellant.

Ld. counsel for the appellant submits that appellant was not aware about the demolition order and came to know about the same during the pendency of this appeal, when he applied for certified copy of the demolition order dated 03.11.2021 and got the same.

Ld. counsel for the appellant further submits that he is not pressing the application under Order VI Rule 17 CPC and prayed that he may be allowed to withdraw the present appeal with the liberty to file a fresh appeal against the demolition order dated 03.11.2021 in accordance with law.

Separate statements of appellants have been recorded in this regard.

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In view of the above, present appeal is dismissed as withdrawn with the liberty to appellants to file a fresh appeal challenging the demolition order dated 03.11.2021 in accordance with law.

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

Copy of this order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 128/23

16.05.2024

Present : Sh. Vinod Pant, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld. counsel for the respondent.

This appeal has been filed against the demolition order but the pleadings filed by the appellant show that the appellant has filed two different appeals, one against the demolition order and another against the sealing order.

The appellant has also filed separate appeal against the sealing order.

Ld. counsel of the appellant submits that he may be allowed to withdraw the present appeal with the liberty to file a separate appeal against the demolition order.

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

In view of the above, the present appeal filed by the appellant is dismissed as withdrawn with the liberty to file a fresh appeal against the demolition order within one week.

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
16.05.2024

A.No. 127/23

16.05.2024

Present : Sh. Vinod Pant, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld. counsel for the respondent.

This appeal has been filed against the demolition order but the pleadings filed by the appellant show that the appellant has filed two different appeals, one against the demolition order and another against the sealing order.

The appellant has also filed separate appeal against the sealing order.

Ld. counsel of the appellant submits that he may be allowed to withdraw the present appeal with the liberty to file a separate appeal against the demolition order.

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

In view of the above, the present appeal filed by the appellant is dismissed as withdrawn with the liberty to file a fresh appeal against the demolition order within one week.

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
16.05.2024

A.No. 274/23 & 275/23

16.05.2024

Present : Sh. Vinod Pant, Ld counsel for the appellant.
Sh. Ajay Gaur, Ld counsel for the respondent. (in
appeal no. 274/23).
Ms. Jyoti Sheel, Ld. proxy counsel for Sh. R.K. Jain,
Ld counsel for the respondent. (in appeal no. 275/23).

On request, matter is adjourned.

Put up for further proceedings on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 224/23

Jagdish Saini Vs MCD & Anr.

16.05.2024

Present : Ms. Divita Dutta along with Sh. Vaibhav Saini, Ld
counsels for the appellant with appellant in person.
Sh. Ravi Ranjan, 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
the appellant 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 allowed. The impugned demolition order
dated 21.12.2022 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 the
appellant.

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

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
16.05.2024

A.No. 214/23 & 215/23

16.05.2024

File taken up today on an application filed by applicant /
intervener for seeking early hearing.

Present : Sh. Kanwal Chaudhary, Ld counsel for the applicant /
intervener.

The appeal itself is listed for 22.07.2024.

On the last date of hearing, date was given as Ld.
counsel for the intervener was not present.

No ground is made out for early hearing. Application is
accordingly dismissed.

Re-notify for disposal of this appeal on the date
already fixed i.e. on 22.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 812/23

16.05.2024

File taken up today on an application filed by applicant / appellant for seeking early hearing.

Present : Sh. Gaurav, Ld counsel for the applicant / appellant, joined through V.C.

No case for early hearing is made out. Application is accordingly dismissed.

Ld. counsel for the appellant submits that on the last date of hearing, due to typographical error, interim stay was not continued.

The interim order granted earlier has not been vacated and same is continuing till the next date of hearing.

Re-notify for disposal of this appeal on the date already fixed i.e. on 07.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 97/24(M)

16.05.2024

File taken up today on an application filed by the applicant / appellant for seeking restoration of appeal.

Present:- Ms. N. Sehar, Ld. proxy counsel for the applicant / appellant.

Issue notice of this application upon the non-applicant / respondent and non-applicant / intervener for the next date of hearing.

Re-notify on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 345/24

16.05.2024

Present : Sh. Simranpal Singh Sawhney, Ld counsel for the appellant.

Sh. Ashutosh Gupta, Ld counsel for the respondent alongwith Sh. R.D. Chaudhary, A.E.(B).

Ld. counsel of respondent seeks some time to take necessary instructions. He submits that respondent shall not take any demolition action pursuant to the demolition order dated 06.05.2024 till next date of hearing.

Appellant is also directed not to carry out any construction in the property in question till the next date of hearing.

Put up for disposal of appeal on 17.05.2024 at 2.00 p.m.

Copy of order be given dasti to both the parties.

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(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 323/24

16.05.2024

Present : Ms. Parul Verma , Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Put up with connected appeal on 31.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 328/24

16.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent. Filed Memo of appearance. It be taken on record.

Status report has also been filed, copy supplied.
Record has been brought, same be deposited in the Registry and tagged with this file.
Respondent shall file reply to the application for condonation of delay by the next date of hearing.
Put up for filing reply and disposal of application as well as appeal on 08.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 325/24

16.05.2024

Present : Sh. Sanjay Aggarwal, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Filed Memo of appearance.

Status report filed, copy supplied.

After seeing the record, Ld. counsel of appellant submits that he may be allowed 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.

The record is returned to respondent.

Appeal file be consigned to record room.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 313/24

16.05.2024

Present : None for the appellant.
Sh.Ashutosh Gupta , Ld counsel for the respondent.
Filed memo of appearance. It be taken on record.

Status report has been filed.

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

Issue court notice to the appellant as well as his
counsel to remain present in person on the next date
of hearing.

Renotify for 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 92/24(M)

16.05.2024

Present : Sh. Bharat Garg, Ld counsel for the applicant/appellant.

Sh. Anil Mishra, Ld counsel for the non-applicant/respondent. Filed memo of appearance. It be taken on record.

Ld. counsel for non-applicant/respondent seeks time to file reply of the application. One last opportunity is granted.

Put up for filing reply and disposal of the application on 24.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 297/24

16.05.2024

Present : Sh.Arjun Singh Bawa , Ld counsel for the appellant joined through VC along with Sh.Sidharth, Advocate present in the court.

Sh. V.K.Aggarwal, Ld counsel for the respondent. File memo of appearance. It be taken on record.

Status report has also been filed, copy supplied.

Record has already been filed.

Connected appeal is stated to be listed on 26.07.2024.

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

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 337/24

16.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Sunil Satyarthi, 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 22.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 837/23

16.05.2024

Present : Sh. Manmohan Tiwari, Ld counsel for the appellant
alongwith appellant in person.
Ms. Beena Sharma, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish to withdraw the present appeal liberty to take appropriate proceedings before the Judicial Committee constituted by the Hon'ble Supreme Court of India or before Hon'ble Supreme Court of India.

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.

Copy of the order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 291/24

16.05.2024

Present : Ms. Parul Verma, Proxy counsel for the appellant.
Ms. Simran Avluck, Ld counsel for the respondent.
Fresh V/N filed by Ld counsel for respondent. It be taken on record along with sh. D.K.Meena, A.E.(B).

Status report has been filed giving the description of construction existing in the front portion of property no.28 which is in the occupation of appellant Sh. Mahipal Singh and back portion which is in the occupation of his brother Sh. Deshraj. Copy of status report supplied.

The booking, however has been made in the name of Sh. Mahipal Singh and not in the name of Sh. Deshraj, who is in occupation of back portion.

Ld. counsel of respondent on instruction submits that they shall file necessary report in this regard by the next date of hearing.

Put up for filing status report and disposal of this appeal on 31.05.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 452/23 & 453/23

16.05.2024

Present : Appellant in person.
Ms. Beena Sharma, Ld counsel for the respondent.

Ld. counsel of appellant has not appeared for advancing arguments since morning. It is 2:25 PM.

In the interest of justice, one last and final opportunity is granted to the appellant to bring his counsel for advancing arguments subject to cost of Rs.5000/- to be deposited in the Registry of this Tribunal.

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

Put up for disposal of this appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 258/24

16.05.2024

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

Status report has been filed in compliance of the last order, copy placed on record.

Reply to the application of condonation of delay has also been filed, copy placed on record.

One last opportunity is granted.

Renotify for disposal of the application as well as appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 375/22

16.05.2024

Present : Ms. Parul Aggarwal, Ld counsel for the appellant.
Sh. Sagar Kumar, Ld counsel for the respondent.

Ld. counsel for appellant submits that appellant wish to withdraw the present appeal with the liberty to file separate appeal by the occupants of the property.

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 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
16.05.2024

A.No. 838/23

16.05.2024

Present : Sh. V.V. Singh, Ld counsel for the appellant.
Sh. Chetan Hasija, Ld counsel for the respondent.

Renotify for disposal of the application as well as
appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 839/23

16.05.2024

Present : Ms. Suwaleha Siddhiqui, Proxy counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent.

Main counsel of appellant is not available. He requested for an adjournment on the last date of hearing as well.

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

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

Put up for disposal of application for condonation of delay as well as appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 707/23

16.05.2024

Present : Sh. Ashok Popli, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent along with Ms. Gita Aggarwal, ASO.

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

Appellant has filed one application under Order 22 Rule 3 CPC as appellant no.2 has died, copy supplied. Respondent is directed to file reply to the application before the next date of hearing.

Vide last order, respondent was directed that concerned person shall remain present in person to assign the reason as to why record of sanctioned building plan prior 1984 is not available.

In compliance of last order, Ms. Gita Aggarwal, ASO is present, but she is not aware why the said record is not available.

A show cause notice be issued to the concerned Dy. Commissioner to remain present in person and assign reason as to why the order dated 14.03.2024 has not been compiled?

Put up for presence of the Dy. Commissioner as well as for filing reply to the application under Order 22

Rule 3 CPC and disposal of this application on
14.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 633/19

16.05.2024

Present : Sh. Vijay Kumar Gupta, Ld counsel for the appellant
joined through VC.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Previous cost has been deposited.

Ld. counsel of appellant submits that connected
matter regarding sealing proceedings is listed on
23.07.2024.

Renotify for disposal of the appeal alongwith
connected appeal on 23.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 123/14

16.05.2024

Present : Sh. Anupam Gupta, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.

Status report has been filed as per which the portion of the appellant was booked, which is 11100 whereas another portion of property is 11100A against which the order was not passed. Copy supplied.

Respondent is directed to file a status report, mentioning in it, how the show cause notice was served upon the appellant alongwith proof?

Put up for filing report and disposal of the appeal on 31.07.2024.

Copy of the order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 512/23

16.05.2024

Present : Sh. Sumit Ranjan, Ld counsel for the appellant alongwith appellant in person. Fresh Vakalatnama filed. It be taken on record.
Ms. Renu Soni, Nodal Officer, MCD.

Matter is listed for disposal of appeal but Ld. counsel for appellant seeks adjournment on the ground that he has been engaged recently.

On the last date of hearing i.e. 20.12.2023 another counsel for appellant appeared and filed vakalatnama and requested adjournment for advancing the arguments on next date of hearing.

The appellant is seeking adjournment after adjournment in this case and not coming forward for advancing the arguments.

In view of the above facts and circumstances, interim order granted vide order dated 14.08.2023 stands vacated.

One last and final opportunity is granted to the appellant to come prepared for advancing the arguments on the next date of hearing, failing which no further opportunity shall be granted.

Put up for disposal of the appeal on 07.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 269/21

16.05.2024

Present : Sh. Deepak Kumar Bhardwaj, Proxy counsel for the appellant along with appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. Counsel for respondent.

Status report has been filed in compliance of last order.

Main counsel of appellant is not available.

Put up for consideration on 31.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 448/23

16.05.2024

Present : Sh. Somesh Khemka, Proxy counsel for the appellant
joined through VC.
Sh. Ashutosh Aggarwal, Ld counsel for the
respondent.

Reply to the application under Section 5 of the
Limitation Act has been file, copy placed on record.

Reply to the application under Order VI Rule 17 CPC
has not been filed.

One last opportunity is granted.

Put up for filing reply and disposal of pending
applications as well as appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 394/19

16.05.2024

Present : Sh. Anurag Kumar, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

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

Respondent is directed to carry out inspection of tower in question and file status report stating in it what other machinery are installed for operation of this tower along with photographs.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 589/19

16.05.2024

Present : Sh. Aman Mudgil, Ld counsel for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent
alongwith Sh. Rohit Goel, A.E.(B).

Status report has been filed as per which application for regularization has been rejected for non compliance of IN. Copy supplied.

Ld. counsel for appellant submits that appellant has not received the IN.

Copy of IN has been supplied with status report.

The appellant shall comply the requirement of the said IN within seven days from today against receipt.

The respondent shall decide the application for regularization afresh after receiving the reply of the IN within seven days and shall file status report on the next date of hearing.

Put up for filing status report and disposal of the appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 35/19

16.05.2024

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

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 the norms.

Separate statement of the 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 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
16.05.2024

A.No. 262/17 & 236/17

16.05.2024

Present : Sh. Prashant Chauhan , Proxy counsel for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent in appeal no.262/17.
Sh. Dharamvir Gupta, Ld. counsel for the respondent in appeal no.236/17.

Appellant has filed copy of one GPA.

Previous cost has not been deposited. Be deposited before the next date of hearing, failing which no further opportunity shall be granted.

Put up for payment of cost and disposal of this appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 50/18

16.05.2024

Present : Sh. Vimal Dhingra, Ld counsel for the appellant.
Sh. H.R. Aggarwal, Ld counsel for the respondent.
Sh. Nitin, Enforcement Executive and Ms. Meenu
Batra, ZRO from Delhi Jal Board.

The submission of Delhi Jal Board was already recorded on the last date of hearing. They need not to come again.

Ld. counsel for appellant seeks some time to bring documents to show that the second floor of the property in question, was in existence prior to 01.06.2014.

One last opportunity is granted to the appellant to place on record the documents to show that second floor of property in question was in existence prior 01.06.2014, failing which no further opportunity shall be granted.

Put up for filing documents and disposal of the appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 863/17

16.05.2024

Present : Sh. Rajeev Singh Chauhan, Ld counsel for the appellant.
Ms. Renu Soni, Nodal Officer, MCD.

Ld. counsel for respondent has not appeared today also.

Both the parties are directed to file written synopsis by the next date of hearing.

Put up for filing written synopsis and disposal of the appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 91/20

16.05.2024

Present : None for the appellant.
Sh. Chetan Hasija proxy counsel of Sh. Sagar Dhama,
Ld counsel for the respondent.
None for the intervener.

Since morning despite various calls none has appeared on behalf of appellant nor the previous cost of Rs.3,000/- has been deposited.

It is 3.15 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
16.05.2024

A.No. 808/23

16.05.2024

Present : None for the appellant.
Sh. Mukesh Gupta, Proxy counsel for Sh. Arnav
Gupta, Ld. counsel for the respondent.

Reply to the application for condonation of delay and
status report has already been filed on the last date of
hearing, copy of which were also supplied.

In the interest of justice, one last opportunity is
granted to the appellant.

Renotify for disposal of application as well as appeal
on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 389/17

16.05.2024

Present : Sh. Durga Prasad Shukla, Ld counsel for the
appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Matter is listed for disposal of appeal but Ld. counsel
of respondent request for an adjournment. One
opportunity is granted.

Put up for disposal of this appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 574/22

16.05.2024

Present : Sh. Faizal Nasim, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Copy of status report has been supplied to the Ld. counsel of appellant from the record.

Ld. counsel of appellant seeks some time to inspect the record. One opportunity is granted.

Put up for disposal of this appeal on 14.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 86/17

16.05.2024

Present : Sh. Bhavya Sharma , Proxy counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.

Ld. counsel for appellant is not available. A request for adjournment is prayed. One last opportunity is granted.

Put up for disposal of this appeal on 16.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 42/23

16.05.2024

Present : Sh. Manish Dua, Ld counsel for the appellant.
Sh. Anubhav Gupta, Ld counsel for the respondent.

Appellant has not placed any documents as directed. One last and final opportunity is granted to the appellant to place on record documents to show that the construction in the property in question has been in existence prior 07.02.2007. Such documents shall be filed before the next date of hearing.

Put up for filing documents and disposal of appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 404/15

16.05.2024

Present : Sh. Sameer Abhyanker, Ld counsel for the appellant
joined through VC,
Sh. Dharamvir Gupta, Ld counsel for the respondent.
Ms. Vinnie Sharma, Ld. counsel for Monitoring
Committee.

There is connectivity issue at the end of Ld. counsel of
appellant.

Renotify for disposal of appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 106/18 & 107/18

16.05.2024

Present : Ms. N. Sehar proxy counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent.
Sh. Harish Kumar Mehra, Ld. counsel for intervener.

Ld. counsel of appellant is not available.

Renotify for disposal of the appeal on 20.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 207/23 & 208/23

16.05.2024

Present : None for the appellant.
Sh.Tarun Sabarwal, Ld counsel for the respondent.

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

Renotify for disposal of application as well as appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 492/17

16.05.2024

Present : None for the appellant.
Sh. Tarun Sabharwal, Ld counsel for the respondent.

Previous cost has been deposited but none is present on behalf of appellant. One opportunity is granted.
Put up for disposal of the appeal on 22.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 14/20

16.05.2024

Present : Sh. Aditya Kapoor, Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent no.1.
Sh. Shilp Vinod, Ld. counsel for the respondent no.2.
None for LR of respondent no.3.

Reply to the application for condonation of delay has been filed by the respondent no.1, copy supplied.

Respondent no.2 has not filed the reply to the application for condonation of delay. One opportunity is granted to the respondent no.2 to file reply and advance copy of the reply be supplied to the Ld.counsel of appellant before the next date of hearing.

Put up for filing reply and disposal of application as well as appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 344/24

16.05.2024

Fresh appeal filed. It be checked and registered.

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

Issue notice of the appeal and applications, if any, to the respondent MCD through concerned Chief Law Officer as well as to other private respondent Nos.2 to 9. 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 03.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
16.05.2024

A.No. 346/24

16.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Jatin Chauhan, Ld counsel for the appellant.

This appeal has been filed without giving details of the order qua which this appeal has been filed. The property is also not lying sealed. No notice whatsoever has been issued by the respondent to the appellant as of now.

Ld. counsel of appellant submits that he may be allowed to withdraw the appeal with the liberty to file fresh appeal as and when need arises.

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
16.05.2024