

A.No. 331/24 & 332/24

21.05.2024

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

Ld. counsel for the respondent seeks sometime to file a detailed status report in this case.

Let the same be filed on the next date of hearing.

Put up for filing status report and disposal of this appeal on 04.06.2024.

In the meantime, respondent shall not execute the sealing order dated 09.04.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 87/24

21.05.2024

Present :

Ms. Savita Rastogi, Ld counsel for the appellant.

Sh. V.K. Aggarwal, Ld counsel for the respondent no. 1.

Sh. Suresh Chaudhary, Ld. counsel for proposed respondents no. 3, 7 and 10.

Appellant has not collected the dasti summons with respect to proposed respondents no. 2 and 6.

One last opportunity is granted to the appellant to serve respondents no. 2 and 6 through dasti summon for the next date of hearing.

An application under Order I Rule 10 CPC has been filed by the appellant for seeking deletion of proposed respondents no. 4 and 5 and for impleadment of Sh. Bhupender Singh in place of proposed respondents no. 4 and 5 on the ground that proposed respondents no. 4 and 5 have sold their portions to Sh. Bhupender Singh. Copy supplied.

Appellant is directed to serve notice of this application upon proposed respondent no. 4 Sh. Bhupender Singh on taking steps.

Notice be given dasti.

Re-notify for service of proposed respondents no. 2, 4 and 6 on 24.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 238/24

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Atul Kharbanda, Ld. counsel for the intervener.

Ld. counsel for the intervener submits that intervener has nothing to do with "Hamlet Farm House", which is one of the farm, surrounded by the boundary wall of Farms no. 3 and 5.

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

Ld. counsel for the appellant on instructions submits that no piece of land is owned by "Hamlet Farm House" in between Farms no. 3 and 5, which are owned by "Heavenly Farms Private Ltd." and "Harvest Plantation Pvt. Ltd."

The appellant is directed to place on record Article of Association and Memorandum of Registration with respect to "Heavenly Farms Private Ltd." and "Harvest Plantation Pvt. Ltd."

In case appellant has nothing to do with "Hamlet Farm House", i.e. if Directors of appellant are not Directors in the "Hamlet Farm House", then all the Directors of the appellant shall file their affidavit in this regard that they are not the Directors in the "Hamlet Farm House".

The Directors of appellant shall also mention in their affidavit that "Hamlet Farm House" is not having any land inside Farms no. 3 and 5.

Ld. counsel for the appellant has raised objection for the direction qua production of Article of Association and Memorandum of Registration and filing of affidavit on the ground that same are not required for the decision of this appeal.

The objection raised by Ld. counsel of the appellant is not sustainable and same is rejected for the simple reason that this is a remand proceeding, in which appellant claimed that they have nothing to do with the portion in which unauthorized construction was raised, though construction was raised in a farm house, which is inside Farms no. 3 and 5. Both of these farm houses have been amalgamated and no separate brick wall is in existence between both these farms as per the verification report.

Similar affidavit shall also be filed by the Directors of "Harvest Plantation Private Ltd." They shall also file Article of Association and Memorandum of Registration with respect to "Harvest Plantation Private Ltd.", before the next date of hearing.

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Re-notify for filing Article of Association, Memorandum of Registration and Affidavit as well as for disposal of appeal on 03.06.2024.

Copy of this order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 255/24
21.05.2024

Present : Sh. Rakesh Tikku, Ld. Senior Counsel along with Sh. Kunal Mehta and Sh. Virender Mehta, Ld counsels for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Atul Kharbanda, Ld. counsel for the intervener.

Ld. counsel for the intervener submits that intervener has nothing to do with "Hamlet Farm House", which is one of the farm, surrounded by the boundary wall of Farms no. 3 and 5.

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

Ld. Senior counsel for the appellant on instructions submits that no piece of land is owned by "Hamlet Farm House" in between Farms no. 3 and 5, which are owned by "Heavenly Farms Private Ltd." and "Harvest Plantation Pvt. Ltd."

The appellant is directed to place on record Article of Association and Memorandum of Registration with respect to "Heavenly Farms Private Ltd." and "Harvest Plantation Pvt. Ltd."

In case appellant has nothing to do with "Hamlet Farm House", i.e. if Directors of appellant are not Directors in the "Hamlet Farm House", then all the Directors of

the appellant shall file their affidavit in this regard that they are not the Directors in the "Hamlet Farm House". The Directors of appellant shall also mention in their affidavit that "Hamlet Farm House" is not having any land inside Farms no. 3 and 5.

Ld. Senior counsel for the appellant has raised objection for the direction qua production of Article of Association and Memorandum of Registration and filing of affidavit on the ground that same are not required for the decision of this appeal.

The objection raised by Ld. Senior counsel of the appellant is not sustainable and same is rejected for the simple reason that this is a remand proceeding, in which appellant claimed that they have nothing to do with the portion in which unauthorized construction was raised, though construction was raised in a farm house, which is inside Farms no. 3 and 5. Both of these farm houses have been amalgamated and no separate brick wall is in existence between both these farms as per the verification report.

Similar affidavit shall also be filed by the Directors of "Harvest Plantation Private Ltd." They shall also file Article of Association and Memorandum of Registration with respect to "Harvest Plantation Private Ltd.", before the next date of hearing.

An application under Section 151 of CPC has been filed by the appellant for seeking rectification in order dated 13.05.2024.

The Ld. Senior counsel of the appellant on instructions submits that in view of the submissions of the assisting counsel made in the Court today that "Hamlet Farm House" is not having any land between Farms no. 3 and 5, he is not pressing this application.

In view of the above, the application filed by the appellant under Section 151 of CPC for seeking rectification in order dated 13.05.2024 is disposed off.

Re-notify for filing Article of Association, Memorandum of Registration and Affidavit as well as for disposal of appeal on 03.06.2024.

Copy of this order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 143/22

21.05.2024

Present : Ms. Mudita Sharda, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Pratyush Sharma, Ld. counsel for the intervener.

Ld. counsel for the appellant submits that she is not pressing the prayer no. iii of the appeal and said prayer may be treated as deleted.

In view of the submissions made by Ld. counsel of appellant, prayer no. iii of the appeal is deleted from the prayer clause.

An application under Section 5 of the Limitation Act has been filed by the appellant for seeking condonation of delay in filing of the appeal.

Reply to this application has already been filed by the respondent.

The present appeal has been filed by the appellant on 23.03.2022 against impugned demolition order dated 23.07.2021 and also dated 31.07.2021

The ground taken in the application is that, appellant had never received the demolition order.

Even otherwise, during Covid-19 Pandemic, the Hon'ble Supreme Court of India in a suo moto case, extended the period of limitation because of the peculiar situation created by Covid – 19 Pandemic

from March 2020 to March 2022 and further provided 90 days from 31.03.2022 for taking the recourse as per the law.

The present appeal has been filed within the period of limitation prescribed by the Hon'ble Supreme Court in the suo moto case.

Considering the above facts and circumstances, the application filed by the appellant under Section 5 of the Limitation Act is allowed. The delay caused in filing of the accompanying appeal is condoned.

Part arguments on appeal heard.

During arguments, it is pointed out by Ld. counsel of the intervener that appellant had changed the covered area of first floor and second floor of the flat in question.

Though, inspection of terrace was carried out earlier but these portions were not inspected.

The respondent is directed to carry out fresh inspection of the first floor and second floor of the flat in question on 28.05.2024 at 12.30 PM and file inspection report mentioning the total covered area existing at first floor and second floor of the flat in question as on date.

The appellant or her representative shall remain present at the time of inspection.

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Re-notify for filing inspection report and disposal of this appeal on 19.07.2024.

Copy of this order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 252/24

21.05.2024

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

Ld. counsel for the respondent submits that appellant has not supplied copy of application for condonation of delay despite directions.

One last and final opportunity is granted to the appellant, subject to cost of Rs. 5000/- to be deposited with the Registry of this Tribunal.

The appellant is directed to supply copy of application for condonation of delay to Ld. counsel of respondent physically, against receipt, within 2 days, who shall file reply to the same before the next date of hearing.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 209/24

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Sanjeet Kumar, Ld. Proxy counsel for Sh. Prithish Sabharwal, Ld. counsel for the respondent.
Sh. Malaya Kumar Chand, Applicant / intervener in person.

Reply to the application under Section 5 of the Limitation Act filed. Copy supplied.

Status report in compliance of last order filed. Copy supplied.

Sh. Malaya Kumar Chand, applicant / intervener has filed an application under Order I Rule 10 of CPC, copy of which has been supplied to Ld. counsel for the appellant, who shall file reply to the same before the next date of hearing.

Put up for filing reply and disposal of application as well as appeal on 27.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 285/16 & 410/15

21.05.2024

Present : Sh. Parveen Pahuja, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
(in appeal no. 410/15).
Sh. H.R. Aggarwal, Ld counsel for the respondent. (in
appeal no. 285/16).
Ms. Rashmi Srivastava, Ld. counsel for the DDA. (in
appeal no. 410/15).
Ms. Aakanksha Sharma, Ld. counsel for the DDA. (in
appeal no. 285/16).

Status report has been filed by the MCD. However,
same is not in consonance with the directions issued
vide order dated 31.01.2024.

The respondent / MCD is directed to file a fresh status
report, strictly in consonance with order dated
31.01.2024, failing which, the concerned Deputy
Commissioner shall remain present in person on the
next date of hearing.

Re-notify for filing status report and disposal of this
appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 703/17

21.05.2024

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

Appellant has not filed any document as directed vide last order.

Ld. counsel for the appellant requests for one more opportunity.

One last and final opportunity is granted to the appellant to file whatever documents he wish to rely in support of his case before the next date of hearing, failing which no further opportunity shall be granted.

Put up for filing documents and disposal of this appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 694/19

21.05.2024

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

Ld. counsel for the appellant requests for an adjournment for filing a fresh application for regularization after removing all the objections.

Let her do so as per the norms.

One last and final opportunity is granted.

Put up for disposal of this appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 60/22

Manjeet Singh Kohli Vs NDMC

21.05.2024

Present : Sh. Sunil Choudhary, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.

This appeal has been filed against demolition order dated 24.12.2021. The present appeal was filed on 03.04.2022 i.e. after expiry of period of limitation. However, the Hon'ble Supreme Court of India in a suo moto case, extended the period of limitation because of the peculiar situation created by Covid – 19 Pandemic from March 2020 to March 2022 and granted further 90 days from 31.03.2022.

The present appeal has been filed within the period of limitation prescribed by the Hon'ble Supreme Court in the suo moto case.

Considering the above facts and circumstances, 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 24.12.2021 is set aside. The matter is remanded back to the Quasi-Judicial Authority for deciding the same afresh.

The appellant shall treat this order as a show cause notice and shall appear before the Quasi Judicial Authority on **06.06.2024 at 02.00 PM**. The Quasi Judicial Authority shall provide an opportunity to the appellant to submit his reply and also grant him personal hearing.

The Quasi-Judicial Authority thereafter shall pass a speaking order after dealing with all the submissions, pleas and defence raised by the appellant and shall communicate the said order to the appellant. All the proceedings shall be completed by the Quasi Judicial Authority within a period of 2 months from the date of commencement of the hearing.

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

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 98/24(M)

21.05.2024

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

Present : Ms. Priyanka Bhardwaj and Sh. Jatin Chaudhary, Ld counsel for the applicant / appellant.

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

Put up on 06.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 321/24

21.05.2024

Present : Sh. Kamal Singh , Ld counsel for the appellant.
Sh.Avishek Kumar, Ld counsel for the respondent,
filed memo of appearance alongwith Sh. Dinesh
Chand, A.E.(B).

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 place on
record the documents to show that the property in
question was constructed prior to 01.06.2014. He
further submits that appellant shall be filing an
application for regularization as per the norms within
three weeks. Let him do so.

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

Put up for filing status report as well as disposal of the
appeal on 11.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 169/24

21.05.2024

Present : Sh. Pankaj Jain, Ld counsel for the appellant.
Sh. Avishek Kumar, Ld counsel for the respondent No.1 & 2. Fresh V/N filed b. It be taken on record.
Sh. Hemant Verma, Ld. counsel for respondent No.3 to 5. Fresh V/N filed. It be taken on record.

Appellant has filed two different application one under order 6 Rule 14 (3) CPC for placing on record certain documents and another under order 26 Rule 9 CPC for appointment of Local Commissioner.

No order is required to be passed in an application under Order 26 Rule 9 CPC as this appeal is against the regularization, thus there is no requirement of appointment of Local Commissioner for carrying out inspection. The application filed under Order 26 Rule 9 CPC is thus dismissed.

The respondent is directed to file reply of the application of condonation of delay before the next date of hearing.

Put up for filing reply and disposal of the application on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 699/23

21.05.2024

Present : Sh. Abhishek Kumar, Ld counsel for the appellant
alongwith appellant in person.
Sh. Madan Sagar, Ld counsel for the respondent.

Status report filed, copy supplied.

As per the status report the property in question was sealed under the directions of the Monitoring Committee on the basis of which a show cause notice dated 23.02.2018 was issued and property was sealed on 20.06.2018 i.e. after 17.12.2017.

Ld. counsel for appellant submits that appellant may be allowed to withdraw the present appeal with the liberty to approach to Judicial Committee, constituted by the Hon'ble Supreme Court of India or before the Hon'ble Supreme Court of India for appropriate relief. 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
21.05.2024

A.No. 199/24

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant along with Director of the appellant.
Ms. Beena Pandey, Ld counsel for the respondent.

Previous cost has been deposited.

Appellant has placed on record copy of two sale deed by virtue of which appellant purchased one shop ground floor and entire first floor and vide another sale deed, he purchased second floor and third floor.

The photographs collected by the respondent while booking of property, have been shown to the Director of appellant who submits that these photographs do not pertain to his property.

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

Renotify for presence of A.E.(B) and disposal of this appeal on 22.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 275/24

21.05.2024

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

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

One last and final opportunity is granted to the respondent to file reply.

Appellant has produced certain documents, copy supplied.

Renotify for filing reply and disposal of the application as well as appeal on 16.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 233/23 & 234/23

21.05.2024

Present : Sh. Sanjiv Goel, father of appellant in person.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent.

Ld. counsel of appellant is not available due to medical emergency of his wife.

Request for adjournment is prayed.

One last opportunity is granted.

Renotify for disposal of application as well as appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 222/24

21.05.2024

Present : None for the appellant.
Sh. Madan Sagar, Ld counsel for the respondent.

Status report has been filed, however, same is not in consonance with the last order.

A show cause notice be issued to the concerned Dy. Commissioner to remain present in person and assign reason as to why the order passed by this Tribunal has not been complied with.

Put up for the presence of Dy. Commissioner and for filing documents and disposal of the appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 219/24

21.05.2024

Present : Sh. S.S. Jain, Ld counsel for the appellant.
Sh. Sandeep Kumar, Ld counsel for the respondent
joined through VC.

Ld. counsel for appellant submits that he may be allowed to withdraw the present appeal with the liberty to file fresh application after removing all the objections.

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
21.05.2024

A.No. 120/24

21.05.2024

Present : Sh. M.S. Khan, Ld counsel for the appellant alongwith
appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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

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.

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
21.05.2024

A.No. 156/23

21.05.2024

Present : Sh. Bharatdeep Singh, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel of appellant on instructions submits that entire fourth floor has already been demolished and third floor was purchased in the year 2007.

Respondent is directed to carry out inspection of property in question and file status report as to whether the entire fourth floor has been demolished? If so then photographs of the roof of third floor be filed along with the status report.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 616/22
21.05.2024

Present :

Sh. M.S Khan, Ld counsel for the appellant.

Sh.V.K. Aggarwal, Ld counsel for the respondent.

Ld. counsel for respondent submits that he does not want to file reply of the application, as by way of this application the appellant is seeking amendment for restricting his appeal with respect to only ground floor of the property in question.

I have heard Ld. counsel of the parties and perused the application. Initially the appeal was filed with respect to whole of the property bearing No.99, Gali No.9, Ambedkar Colony, Haiderpur, Delhi.

By way of amendment the appellant wants to restrict his appeal only with respect to ground floor of the property.

The proposed amendment sought to be incorporated is just and necessary for the complete adjudication of the dispute.

Considering the above facts and circumstances, the application for seeking amendment is allowed. Appellant is permitted to incorporate proposed amendment in the appeal.

Amended appeal has been filed, copy supplied.

Renotify for disposal of the application of condonation of delay as well as appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 108/23

21.05.2024

Present : None for the appellant.
Sh. Mikhil Sharda , Ld counsel for the respondent
joined through VC.

Since morning despite various calls none has
appeared on behalf of appellant.

It is 02.10 PM. Present appeal is dismissed in default.
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
21.05.2024

A.No. 94/20 & 848/19

21.05.2024

Present : Sh. Rupak Jain, Employee of the appellant.
Ms. Parveen Sharma, Ld counsel for the respondent.

Status report has been filed, copy supplied. As per the status report appellant has not removed unauthorized projection despite direction.

Ld. counsel of appellant is not available.

One last and final opportunity is granted to the appellant to come prepare for advancing the arguments.

Put up for disposal of this appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 693/23

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Ms. Jasleen Kaur, Ld counsel for the respondent.
Mohd. Azhar, intervener in person.

Appellant has filed reply to the application under order 1 Rule 10 CPC, copy supplied.

Intervener is directed to file title documents of his property to show that he is residing in vicinity of appellant.

Put up for filing documents and for disposal of the application on 27.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 583/23 & 584/23

21.05.2024

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

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

Concerned A.E.(B) is directed to remain present in person to apprise, by which material temporary wall has been constructed at upper floors.

Renotify for disposal of application as well as appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 676/22

21.05.2024

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

Put up with connected appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 139/20

21.05.2024

Present : Sh. Rupendev Sharma, Ld counsel for the appellant.
Sahib Gurdeep Singh, Ld counsel for the respondent.

Respondent is directed to file status report, whether the reply dated 04.07.2019 of the appellant to the show cause notice, which is appended by the appellant at page 15 of the appeal, was received or not?

Put up for filing status report and disposal of appeal on 23.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 353/23

21.05.2024

Present : Sh. Vinay Sharma, Ld counsel for the appellant joined through VC.

Sh. V.K. Aggarwal, Ld counsel for the respondent No.1.

Sh. Praveen Kumar, Ld. counsel of respondent No.2.

Respondent had filed status report on the last date of hearing stating in it that building plan is under scrutiny.

Ld. counsel for respondent is not aware, what action was taken by the respondent qua sanctioned plan.

Respondent is directed to file status report regarding the status of the sanction building plan as on date.

The concerned A.E.(B) shall also remain present on the next date of hearing.

Put up for filing status report and for disposal of the appeal on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 698/19

21.05.2024

Present : Sh. Dipesh Singhal , Ld counsel for the appellant.
Fresh V/N filed. It be taken on record.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. Counsel for respondent.

Ld. counsel of appellant request for an adjournment for seeking instructions for filing an appeal against the demolition order. Let him do so before the next date of hearing.

Put up for disposal of appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 476/19

21.05.2024

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

Appellant is directed to file original chain of title documents and original electricity bill by the next date of hearing.

Respondent shall carry out the inspection of the property in question and file status report, whether the property in question is occupied by the appellant or by some other person? The private number of the property in question shall also be mentioned in the status report.

Put up for filing original chain of title documents, electricity bill as well as status report with photographs and for disposal of the appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 477/19

21.05.2024

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

Put up for disposal with connected appeal on 23.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 803/18 & 536/13

21.05.2024

Present : Sh. Rana Ranjit Singh, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
in appeal no. 803/18.
Sh. Ashutosh Gupta, Ld counsel for the respondent in
appeal no. 536/13.
None for intervener.

Appellant has filed certain documents in the form of
notification etc, copy supplied.

Ld. counsel of appellant request for an adjournment
on the ground that he could not prepare arguments.
One last and final opportunity is granted.

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

Put up for disposal of this appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 156/18

21.05.2024

Present : Sh. Sunil Chaudhary, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent
No.1.
Sh. Dinesh Kumar, Ld. counsel of respondent No.2.

Both respondent No.1 and 2 are directed to file reply to the application of condonation of delay, if not already filed, before the next date of hearing.

Put up for filing reply, if any, and for disposal of the application as well as appeal on 30.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 157/18

21.05.2024

Present : Sh. Sunil Chaudhary, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent
No.1.
Sh. Dinesh Kumar, Ld. counsel of respondent No.2.

Ld. counsel of appellant seeks some time to file an application for condonation of delay.

Appellant is directed to file an application within 2 weeks. Advance copy of the application be supplied to the Ld. counsel of respondent, who shall file reply of the same by the next date of hearing.

Put up for filing application, its reply and for disposal of the application as well as appeal on 30.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 97/19

21.05.2024

Present : Sh. Kautilya Kaushik proxy Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Pritish Sabharwal, Ld. Counsel for respondent.
Ms. Shefali Gandhi, Ld. counsel for intervener.

Ld. counsel for respondent has pointed out that an application filed under Order 1 Rule 10 CPC, has already been dismissed vide order dated 13.04.2021 whereby applicant was granted opportunity to advance the arguments.

The respondent has filed reply to the application of condonation of delay as well as application under order VI Rule 17 CPC. Copy supplied.

One last opportunity is granted to the appellant to advance the arguments subject to cost of Rs.3,000/- to be deposited with the Registry of this Tribunal.

Put up for disposal of the applications as well as appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 756/16, 790/16, 791/16, 792/16, 793/16, 809/16, 42/17, 305/17,
306/17, 325/17 & 307/17

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
in appeal nos.790/16, 792/16, 809/16, 306/17, 325/17
& 307/17.
Sh. R.K.Kashyap, Ld. counsel for the respondent in
appeal nos.791/16 & 42/17.
Sh. V.K.Aggarwal, Ld. counsel for the respondent in
appeal nos. 756/16 & 305/17
Sh. Mohit Sharma, Ld. counsel for the respondent in
appeal no.793/16.
Sh. Raj Kumar, Ld. counsel for Intervener.

Respondent has not brought the house tax record.

One last and final opportunity is granted to the
respondent to furnish entire house tax record, failing
which Joint Assessor & Collector shall remain present
in person on the next date of hearing.

Put up for filing house tax record and for disposal of
application as well as appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 217/21

21.05.2024

Present : Ms. N.Sehar, Proxy counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Kunal Madan, Ld. counsel for the Intervener.

Ld. counsel for appellant is not available.

One last and final opportunity is granted to the appellant to come prepare for advancing the arguments, failing which no further opportunity shall be granted.

Put up for disposal of this appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 01/20

21.05.2024

Present : Sh. Sukhbir Singh, Ld counsel for the appellant.
Sh. Dharamvir Gupta, Ld counsel for the respondent
along with Sh. Summit, AZI.

Verification report has not been filed.

One last and final opportunity is granted to the respondent to file verification report by the next date of hearing, failing which Joint Assessor & Collector shall remain present in person on the next date of hearing.

Put up for filing verification report and disposal of this appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 168/23

21.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent.
Sh. Rahul Mehta, Ld. counsel for applicant/intervener.

Appellant has filed reply to the application for seeking restoration of application under order 1 Rule 10 CPC. Copy supplied.

This application for restoration of application under Order 1 Rule 10 CPC has been filed only on the ground that applicant on 14.07.2023 noted the next date of hearing inadvertently as 29.09.2023 instead of 27.09.2023.

Ld. counsel of applicant has brought his original daily cause diary, which reveals that applicant on 14.07.2023 has noted next date of hearing as 29.09.2023 instead of 27.09.2023.

Considering the above facts and circumstances, the application filed for seeking restoration of application under Order 1 Rule 10 CPC is allowed. Application is restored.

Renotify for disposal of the application under Order 1 Rule 10 CPC on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 351/24 & 352/24

21.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Shahid Ali, 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 31.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 355/24

21.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. S.B.Singh, 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 28.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024

A.No. 359/24

21.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. S.D.Ansari, 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
21.05.2024

A.No. 360/24

21.05.2024

Fresh appeal filed. It be checked and registered.

Present: Sh. Murari Tiwari, 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 24.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
21.05.2024