

A.No. 333/24

22.05.2024

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

Status report filed. Copy of the same be supplied to Ld. counsel of respondent.

It is mentioned that record has been filed in the connected appeal, which is listed before the Court on 15.07.2024.

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

Re-notify for filing reply and disposal of application as well as appeal on 15.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 93/24(M)

22.05.2024

Present : Sh. Yash Basoya, Ld. proxy counsel for the applicant / appellant.
Sh. V.K. Aggarwal, Ld counsel for the non-applicant / respondent. Memo of Appearance filed. Same is taken on record. He seeks sometime to file reply to this application. Let same be filed before the next date of hearing.

Put up for filing reply and disposal of this application on 27.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 817/23
22.05.2024

Present :

Sh. Mahesh Chand, Ld counsel for the appellant.

Ms. Bhavya Chauhan, Ld counsel for the respondent.

An application under Section 151 of CPC has been filed by the appellant for placing on record copy of order dated 24.11.2023, copy of which has been supplied.

The application filed by the appellant under Section 151 of CPC is allowed. Copy of order dated 24.11.2023 is taken on record.

The appellant has not challenged the order of sealing dated 24.11.2023 in the present appeal but has filed the present appeal against order dated 14.12.2023 which is not a sealing order. Sufficient opportunities have been granted to appellants for filing amendment application, which they have not availed.

One last and final opportunity is granted to appellants to file an application for amendment for correcting the date of sealing order. Advance copy of the application be supplied to Ld. counsel of respondent, who shall file reply to the same before the next date of hearing.

Re-notify for filing application, reply as well as for disposal of application and appeal on 09.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 590/22, 591/22 & 592/22

22.05.2024

Present : Sh. G.D. Mishra, Ld counsel for the appellant.
Sh. Mikhil Sharda, Ld counsel for the respondent,
joined through V.C. along with Sh. Amit Kumar, AE(B),
present in the Court.

Status report has been filed giving details of all the occupants of the property in question. Copy supplied. As per the status report, appellant is not in occupation of any of the portions of the property in question.

The documents placed on record by the appellant i.e. GPA, Agreement to Sell etc. are all notarized documents and does not confer any right of ownership to the appellant.

One opportunity is granted to the appellant to implead the occupiers of the property in question, failing which necessary order shall be passed.

Re-notify for further proceedings on 18.07.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 685/23
Heera Rawat Vs MCD

22.05.2024

Present : Sh. Rakesh Tanwar, Ld counsel for the appellant.
Sh. Sahib Gurdeep Singh, Ld counsel for the respondent, joined through V.C.

This appeal has been filed against the demolition order dated 21.09.2023, passed with respect to Flat No. 45, Green Valley Apartment, Paschim Vihar, New Delhi for unauthorized construction of extended room walls in common passage and additional rooms on the terrace of flat and common passage.

Ld. counsel of the appellant has contended that the appellant was served with the show cause notice, pursuant to which she filed her reply within 3 days but the Quasi Judicial Authority, without considering the reply passed the demolition order. He prayed that appeal may be allowed and impugned demolition order may be set aside.

Ld. counsel for the respondent has contended that the show cause notice was given by hand but as no reply was received within the time, therefore, demolition order was passed. He prayed that appeal may be dismissed.

I have heard Ld. counsel for the appellant, Ld. counsel for the respondent and perused the appeal, impugned order, record as well as the status report dated 23.04.2024.

As per the status report dated 23.04.2024, filed by the AE(B), show cause notice dated 13.09.2023 was served upon the appellant on 18.09.2023.

Vide said show cause notice, appellant was granted opportunity to file reply within 3 days. The appellant was thus having time to file the reply of the said show cause notice up to 21.09.2023. The Quasi Judicial Authority could have passed an order of demolition only thereafter.

The appellant in this case had filed her reply on 20.09.2023, which is available in the record from page no. 26 onwards. Despite receiving the said reply well within 3 days from the date of receiving of show cause notice, the Quasi Judicial Authority failed to consider the said reply and passed the demolition order in utter violation of principle of natural justice.

The right to be heard is one of the fundamental principles of natural justice, which is to be followed

by all the Administrative Authorities and Quasi Judicial Authorities. The fundamental principle of natural justice is that the person against whom an order is passed must know as to why and on what basis said order has been passed. The order must be a speaking one, giving reasons for reaching to the conclusion and must not be cryptic in nature.

The Hon'ble Delhi High Court in case titled *Jaspal Singh Jolly Vs Municipal Corporation of Delhi*, reported as 125 (2005) DLT 592 has dealt with said issue, which is reproduced herein below:-

“Noting the decision of the Supreme Court as Erusia Equipments & Chemical Ltd. Vs State of West Bengal, (1975) 1 SCC 70: AIR 1975 SC 266 (at P. 269); 106 (2003) DLT 573, Mekaster Trading Corporation Vs Union of India; and (1990) 4 SCC 594, S.N. Mukherjee Vs Union of India, I had held that the aforesaid decision established the legal proposition that orders which are subject to judicial review must be in compliance with the principle of natural justice, namely (a) proper hearing, (b) decision by an unbiased mind; (c) taking into consideration all the

relevant factors and excluding the irrelevant factors; and (d) reasons to be recorded.

Needless to state, reasons enable the superior Court to effectively exercise supervisory jurisdiction. Additionally, when reasons are stated, the persons affected knows the mind against him. A decision may be right, but not sound. Such a decision leaves a grievance in the mind of the person affected that he was not told why the decision was taken.”

The impugned demolition order dated 21.09.2023 passed by the Quasi-Judicial Authority is thus not sustainable in law, as same has been passed in violation of principal of natural justice.

In view of the above facts and circumstances, the appeal filed by the appellant is allowed. The impugned demolition order dated 21.09.2023 is set aside. The matter is remanded back to the Quasi-Judicial Authority for deciding the same afresh.

The appellant shall appear before the Quasi Judicial Authority on **04.06.2024 at 02.00 PM**. The Quasi Judicial Authority shall provide an

opportunity to the appellant to submit additional reply, if any and also grant her 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 hearing.

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

The Record of the respondent be returned back along with copy of this order and appeal file be consigned to Record Room after due compliance.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 728/22

F.S. Chauhan Vs MCD

22.05.2024

Present : Appellant in person.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

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 27.10.2022 is set aside. The matter is remanded back to the Quasi-Judicial Authority for deciding the same afresh.

The appellant shall appear before the Quasi Judicial Authority on **05.06.2024 at 02.00 PM**. The Quasi Judicial Authority shall allow the appellant to submit an additional reply, if any, and also grant him personal hearing.

It is directed that the officer concerned, who would provide the hearing to the appellant, shall also pass the speaking order after dealing with all the submissions, pleas and defence raised by appellant and shall communicate the said order to 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.

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The appellant shall however 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
22.05.2024

A.No. 52/23, 704/22, 685/22 & 315/19

22.05.2024

Present : None for the appellant.
Sh. Mohit Sharma, Ld counsel for the respondent. (in appeals no. 685/22 & 704/22).
Sh. Mukesh Gupta, Ld. proxy counsel for Sh. Arnav Gupta, Ld counsel for the respondent, joined through V.C. (in appeal no. 52/23).
Ms. Aakanksha Sharma, Ld. proxy counsel for Sh. jatin Aggarwal, Ld counsel for the respondent (in appeal no. 315/19).

Ld. counsel for appellant has not appeared despite repeated calls.

One opportunity is granted to the appellant for advancing arguments, subject to cost of Rs. 2,000/- to be deposited with the Registry of this Tribunal.

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

Re-notify on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 395/23

22.05.2024

Present : Sh. Sunil Chauhan, Ld counsel for the appellant,
joined through V.C.
Sh. Anupam Sharma, Ld counsel for the respondent.

There is a connectivity issue at the end of Ld. counsel of appellant, due to which he is not audible. A request for adjournment is prayed.

One last and final opportunity is granted.

Re-notify for disposal of this appeal on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 401/23

22.05.2024

Present : Sh. D.M. Bhalla, Ld counsel for the appellant, joined through V.C.
Sh. Anupam Sharma, Ld counsel for the respondent.

There is a connectivity issue at the end of Ld. counsel of appellant, due to which he is not audible. A request for adjournment is prayed.

One last and final opportunity is granted.

Re-notify for disposal of this appeal on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 402/23

22.05.2024

Present : Sh. Devender Mor, Ld counsel for the appellant.
Sh. Anupam Sharma, Ld counsel for the respondent.

Re-notify for disposal of this appeal with connected case on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 337/23
22.05.2024

Present : Sh. Dipesh Kasana, Ld. proxy counsel for the appellant.

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

Ld. counsel for the appellant is not available today. A request for adjournment is prayed.

On the last date of hearing, status report was filed by Sh. Ather Mustafa, AE(B) and Sh. Ramesh Goel, AE(B). Both these officials are directed to remain present in person on the next date of hearing.

Respondent shall also file status report, stating in it whether the property in question is situated in an unauthorized colony? If so, how the building plan with respect to the property in question, was sanctioned in the year 2018?

Present AE(B) shall also remain present in person on the next date of hearing.

Put up for filing status report, presence of officials concerned and for disposal of this appeal on 29.08.2024.

Copy of this order be given dasti for compliance.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 63/20 & 62/20

22.05.2024

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

Respondent has not filed status report in compliance of order dated 13.09.2023.

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

The appellant shall also bring his original title documents on the next date of hearing.

Re-notify for filing status report, original title documents and for disposal of this appeal on 30.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 361/24

22.05.2024

Fresh appeal filed. Be checked and registered.

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

Issue Notice of the application for condonation of delay as well as appeal to the respondent through concerned Chief Law Officer. A.E.(B) is directed to be present with the record of the proceedings, status report and reply on next date.

Put up on 03.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 362/24

22.05.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Rajat Manchanda, Ld counsel for the appellant.

Issue Notice of the application for condonation of delay as well as appeal to the respondent through concerned Chief Law Officer. A.E.(B) is directed to be present with the record of the proceedings, status report and reply on next date.

Put up on 04.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 363/24

22.05.2024

Fresh appeal filed. Be checked and registered.

Present : Sh. Shaad Anwar, Ld counsel for the appellant.

Issue Notice of this appeal and application if any, to the respondent through concerned Chief Law Officer.

A.E.(B) is directed to be present with the record of the proceedings, status report and reply on next date.

Put up on 05.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 364/24

22.05.2024

Fresh appeal filed. Be checked and registered.

Present : Ms. Sarita Dixit, Ld counsel for the appellant.

Issue Notice of the application for condonation of delay as well as appeal to the respondent through concerned Chief Law Officer. A.E.(B) is directed to be present with the record of the proceedings, status report and reply on next date.

Put up on 05.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 347/24

22.05.2024

Present : Sh. Irfan Ghayas, 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.

Respondent is directed to carry out inspection of
property in question and give details of construction
existing in the property alongwith photographs.

It is pointed out by the Ld. counsel of appellant that a
Vth storey building was being constructed by the
complainant Sh. Hamid and his associate Sh.Hasan.

The respondent is directed to inspect the said property
also and file status report as to whether any
unauthorized construction has been raised in the said
property? if yes, then, what action has been taken
against the said unauthorized construction?

Put up for filing status report and disposal of the
appeal on 07.06.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 348/24

22.05.2024

Present : Sh. Prashant Diwan, Ld counsel for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Filed memo of appearance.

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

Ld. counsel of appellant submits that appellant shall file an application for regularization within two weeks from today as per the norms.

One opportunity is granted to the appellant to apply for regularization as per the norms through panel Architect within two weeks.

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

The respondent shall also carry out inspection of the property in question and file status report stating, how many rooms are existing at the second floor of the property in question.

Put up for filing status report, disposal of the appeal on 24.07.2024.

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In the meantime, respondent is restrained from taking any coercive action qua the property, subject matter of the present appeal pursuant to the impugned demolition order dated 26.04.2024, till the next date of hearing.

Copy of the order be given dasti.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 337/24

22.05.2024

Present : Sh. Sunil Satyarthi, Ld counsel for the appellant.
Sh.Ashutosh Gupta , Ld counsel for the respondent.

Record has been brought for inspection.

Status report has been filed, copy supplied.

As per the status report there are two demolition orders but appellant has only challenged show cause notice.

Ld. counsel of appellant submits that he has instructions to withdraw the present appeal as the property in question has already been demolished.

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

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

Record is returned to the respondent.

Appeal file be consigned to record room.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 337/24

22.05.2024

Statement of Sh. Sunil Satyarthi, Ld. counsel of
appellant
At Bar.

I am the counsel for appellant in the present appeal. I
have instructions to withdraw present appeal as the
property in question has already been demolished.
The present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 333/23

22.05.2024

Present : Sh. Jaideep Bhattarharya, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent alongwith Sh. D.K. Meena, A.E.(B).

The respondents were directed to file fresh status report giving details of compoundable and non-compoundable deviations existing in the property in question, however, no such report has been filed.

A.E.(B), present in the court, is directed to inspect the property in question and file status report in consonance with the order dated 15.12.2023.

Ld. counsel of appellant submits that he shall be seeking NOC from the ASI and shall file the same by the next date of hearing.

Put up for filing status report and disposal of the appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 329/24

22.05.2024

Present : Sh. Mahesh Chand, Ld counsel for the appellant.
Sh. Ravi Ranjan, Ld counsel for the respondent along with Sh. Vikas Meena, A.E.(B). File memo of appearance. It be taken on record.

Status report has been filed, copy supplied.

Concerned A.E.(B) is directed to submit record by the next date of hearing.

Ld. counsel for appellant is directed to supply the copy of application for condonation of delay to the Ld. counsel of respondent, who shall file reply of the same before the next date of hearing.

Put up for filing reply and for disposal of application as well as appeal on 09.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 304/24

22.05.2024

Present : None for the appellant.
Sh. V.K. Aggarwal, Ld counsel for the respondent.
Fresh V/N filed by Ld counsel for respondent. It be
taken on record.

Since morning none has appeared on behalf of the
appellant.

Renotify for disposal of the appeal on 31.05.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 261/24, 262/24 & 263/24

22.05.2024

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

Respondent has filed one status report.

Ld. counsel of respondent submits that he shall be filing a fresh status report with better particulars.

Concerned official who has served the show cause notice shall also remain present in person on the next date of hearing.

Appellant has not appeared despite directions.

One last and final opportunity is granted to the appellant to remain present on the next date of hearing subject to cost of Rs.3,000/- to be deposited with the Registry of this Tribunal.

Put up for payment of cost, for filing report and presence of the appellant on 11.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 580/12

22.05.2024

Present : Sh. Gaurav Sharma, Ld counsel for the appellant.
Sh. Ashutosh Gupta , Ld counsel for the respondent.

Status report has been filed, however tracking report of speed post has not been placed.

Respondent is directed to file fresh status report along tracking report by the next date of hearing.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 782/23

22.05.2024

Present : Sh. Uday Singh, Ld counsel for the appellant.
Sh. Pritish Sabbarwal, Ld counsel for the respondent.

One application under Order 1 Rule 10 CPC has been filed, copy supplied.

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

Appellant shall file an affidavit of the proposed appellant in support of the application by the next date of hearing.

Appellant and proposed appellant are directed to remain present in person on the next date of hearing.

Put up for filing affidavit, reply of the above application and for disposal of application as well as appeal on 23.08.2024.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 530/13

22.05.2024

Present : Sh. Dalip Ratogi, Ld counsel for the appellant.
Ms. Nirmala Sharma, Ld counsel for the respondent.

Ld. counsel of appellant has filed copy of the information received by the appellant through RTI regarding detail of Karta.

Respondent has not filed reply of the application, same be filed before the next date of hearing.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 599/23

22.05.2024

Present : Sh. Hemant Chaudhary, Ld counsel for the appellants
alongwith appellants in person except Ms. Safeena
Beguma appellant No.2.
Sh. Ashutosh Gupta, Ld counsel for the respondent.

Ld. counsel of appellants submits that appellants do
not want to continue with the appeal and they have
filed an application for seeking withdrawal of the
appeal because their application for regularization of
property is under consideration.

Separate statements of appellants No.1, 3 4 & 5 and
Ld. counsel of appellants has been recorded in this
regard.

In view of the above facts and circumstances, the
application filed by the appellants for seeking
withdrawal of appeal is allowed. 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
22.05.2024

A.No. 599/23

22.05.2024

Statement of Sh. Abdul Shareef S/o late Abdul Salam,
appellant No.1 R/o 1525, Gali Kotana, Suiwalan,
Delhi-110002.

on SA.

I am the appellant No.1 in the present appeal. I wish to
withdraw my appeal as my application for
regularization is pending before the MCD. The
present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 599/23

22.05.2024

Statement of Sh. Abdul Karim S/o late Abdul Salam,
appellant No.3 R/o 1711, Gali Takhat Wali, Suiwalan,
Darya Ganj, Delhi-110002.

on SA.

I am the appellant No.3 in the present appeal. I wish to
withdraw my appeal as my application for
regularization is pending before the MCD. The
present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 599/23

22.05.2024

Statement of Sh. Mohd. Hamid S/o late Abdul Salam,
appellant No.4 R/o 1703, Gali Takhat Wali, Suiwalan,
Darya Ganj, Delhi-110002.

on SA.

I am the appellant No.4 in the present appeal. I wish to
withdraw my appeal as my application for
regularization is pending before the MCD. The
present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 599/23

22.05.2024

Statement of Ms. Khurshid Begum D/o late Abdul Salam, appellant No.5 R/o 1703, Gali Takhat Wali, Suiwalan, Darya Ganj, Delhi-110002.

on SA.

I am the appellant No.5 in the present appeal. I wish to withdraw my appeal as my application for regularization is pending before the MCD. The present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 599/23

22.05.2024

Statement of Sh. Hemant Choudhary, Ld. counsel for appellants
on SA.

I am the counsel of appellants in the present appeal. I have instructions to withdraw present appeal as application for regularization of property is pending before the MCD. The present appeal may be dismissed as withdrawn.

RO&AC

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 570/19 & 571/19

22.05.2024

Present : Sh. Dalip Rastogi, Ld. counsel for the appellant.
Ms. Renu Soni, Nodal Officer, MCD.
Sh. S.Zeeshan Ali, Ld. Counsel for the Intervener
joined through VC.

Ld. Counsel for respondent is not available. He is
stated to be busy in Hon'ble High Court.

One last and final opportunity is granted.

Put up for disposal of appeal on 30.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 643/23

22.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent.

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

Put up for disposal of application as well as appeal on 30.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 702/23

22.05.2024

Present : Sh. Ashish Arya, Ld counsel for the appellant.
Sh. Ashutosh Gupta, Ld counsel for the respondent no.1.
Sh. Dalip Rastogi, Ld. counsel for the respondents no. 2 & 3.

Ld. counsel of respondent no.1 has filed status report, as per which the show cause notice under Section 338 of DMC Act has already been issued. Hearing notice has also been issued for 28.05.2024. Copy of status report and hearing notice has been supplied to appellant as well as Ld. counsel of respondent no. 2 & 3.

Ld. counsel of respondent no.1 submit that they shall pass the order under section 338 of DMC Act by 10.06.2024 and file status report in this regard by the next date of hearing.

Put up for filing status report and disposal of appeal on 04.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 50/19 & 263/17

22.05.2024

Present : Sh. Vikas proxy counsel for the appellant.
Sh. Jasman Singh, Ld counsel for the respondent
joined through VC.

Ld. counsel of appellant is not available. A request for
an adjournment is prayed.

One last and final opportunity is granted to the
appellant to bring his counsel failing which no further
opportunity shall be granted.

Put up for disposal of the appeal on 27.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 228/17

22.05.2024

Present : Sh.Dalip Rastogi , Ld counsel for the appellant.
Ms. Kanta Choudhary , Ld counsel for the respondent.

Respondent is directed to file status report stating in it as to whether property in question is situated in unauthorized colony, unauthorized regularized colony or village abadi?

Put up for filing status report and for disposal of the appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 23/21 & 22/21

22.05.2024

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

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

Ld. counsel of appellant request for an adjournment on the ground that he could not bring his file today.

One last opportunity is granted.

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

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 407/19

22.05.2024

Present : Sh. Dalip Rastogi, 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.

One application under Order 22 Rule 10 CPC has been filed, copy of the same be supplied to the Ld. counsel of respondent, who shall file reply by the next date of hearing.

Ld. counsel of appellant seeks some time to file an application for condonation of delay. Advance copy of the said application be supplied to the Ld. counsel of respondent, who shall file reply by the next date of hearing.

Put up for filing application, reply of both the applications and for disposal of applications as well as appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 408/19

22.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. V.K.Aggarwal, Ld counsel for the respondent.
Sh. Surender Pal Singh, Ld. counsel for the Intervener
along with Sh. Ashok Kumar, Intervener in person.

Put up for disposal with connected appeal on
28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 653/22 & 654/22

22.05.2024

Present : Sh. Jaideep Bhattarharya, Ld counsel for the
appellant.
Sh. S. Adil Hussain, Ld counsel for the respondent
alongwith Sh. D.K. Meena, A.E.(B).

Put up with connected appeal on 28.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 589/15

22.05.2024

Present : Sh. Zakir Hussain, Ld counsel for the appellant.
Ms. Praveen Sharma, Ld counsel for the respondent.

Vide order dated 07.07.2023 respondents were directed to verify whether the area in question falls under the jurisdiction of MCD or DDA and a Status report in this regard was sought.

The respondents are seeking date after date for filing the said status report.

One last and final opportunity is granted to the respondents to file a status report specifically in this regard failing which concerned Dy. Commissioner shall remain present in person on next date of hearing. Put up for filing status report and disposal of the appeal on 29.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 524/23

22.05.2024

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

Ld. counsel of respondent has not appeared.

One Mr. Rajeev Ahuja, counsel appeared. He placed on record copy of the order dated 24.04.2023 passed by the Hon'ble High Court in contempt case No.123/2017, copy of which has already been placed on record by the appellant.

If Ld. counsel wants to intervene in these proceedings, he may file an appropriate application in this regard before the next date of hearing.

One last and final opportunity is granted to Ld. counsel of the respondent to remain present and advance the arguments on the next date of hearing, failing which no further opportunity shall be granted.

Put up for disposal of the appeal on 02.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 73/23

22.05.2024

Present : Appellant in person.
Sh. V.K.Aggarwal, Ld counsel for the respondent along with Sh. Gagan Khanna, EE(B) and Sh.A.K.Mandal, A.E.(B).

One application filed for seeking exemption from personal appearance of Dy. Commissioner on the ground that he is busy in election duty. Exemption is allowed for today only with direction to remain present in person on the next date of hearing.

Put up for appearance of the Dy. Commissioner and disposal of appeal on 05.07.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024

A.No. 388/23

22.05.2024

Present : Sh. Dalip Rastogi, Ld counsel for the appellant.
Sh. Sanjeet Kumar, proxy counsel for Sh. Prithish Sabharwal, Ld. Counsel for respondent joined through VC.

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

Renotify for disposal of the application as well as appeal on 30.08.2024.

(PITAMBER DUTT)
P.O : Appellate Tribunal:MCD
22.05.2024