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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11985/2022 & CM APPL. 35775/2022**

MEENA SHARMA

..... Petitioner

Through: Ms. Bhakti Pasrija, Mr. Deepak Bajpai, Mr. Sonu Mandal and Mr. MokshPasrija, Advs.

versus

SEEMA & ANR.

..... Respondents

Through: Mr. Dalip Rastogi, Adv. (through VC) for R-1.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

09.01.2024

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1. The present petition assails the orders dated 26.11.2021, 25.02.2022 and 31.05.2022 passed by Appellate Tribunal, MCD in appeal bearing no.654/2015 titled "*Smt. Seema v. North Delhi Municipal Corporation*".
2. The petitioner is aggrieved with the directions in the aforesaid orders whereby the petitioner had been directed to file a copy of the sale deed in her favour.
3. Learned counsel for the petitioner submits that the petitioner has been impleaded in proceedings before the Appellate Tribunal, MCD pursuant to the order dated 28.11.2019 passed by this Court in CM(M) 589/2017.
4. It is submitted that once the petitioner has been impleaded in the said proceedings, there is no requirement or rationale to require the petitioner to produce the title documents in her favour inasmuch as the only issue involved in the proceedings before the ATMCD is whether any unauthorised



construction has been carried out by the respondent no.1.

5. After some hearing, learned counsel for the petitioner submits that a typed copy of the sale deed/title documents in her favour, shall be filed before the Appellate Tribunal, MCD. Further, the original sale deed/title documents in favour of the petitioner shall be carried by the petitioner at the time of hearing to enable the learned Appellate Tribunal to inspect or peruse the same, if so desired. The directions contained in the impugned orders dated 26.11.2021, 25.02.2022 and 31.05.2022 are modified accordingly.

6. The matter before the Appellate Tribunal, MCD is listed on 11.01.2024. The typed copy of the sale deed/title documents shall be filed by the petitioner on or before that day in terms of the aforesaid directions. The Appellate Tribunal, MCD shall endeavour to decide the concerned appeal bearing no.654/2015 expeditiously after hearing the respective counsel for the parties.

7. With the above directions, the present petition, alongwith the pending application, is disposed of.

SACHIN DATTA, J

JANUARY 9, 2024/r