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

+ CM(M) 1505/2025 & CM APPL. 49520-49521/2025

DR RAMESH CHANDRA MADAN AND ANR.Petitioners

Through: Mr. Praveen Suri, Advocate.

versus

MCD AND ANR

.....Respondents

Through: Mr. Umakan Mishra, SC for R-1 & R-2.

+ CM(M) 1506/2025 & CM APPL. 49541-49542/2025

RAMESH CHANDRA MADAN AND ANRPetitioners

Through: Mr. Praveen Suri, Advocate.

versus

MCD AND ANR

.....Respondents

Through: Mr. Umakan Mishra, SC for R-1 & R-2.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

12.08.2025

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1. The position is little unusual here.
2. Petitioners herein have filed two different appeals which are pending adjudication before learned Appellate Tribunal, Municipal Corporation of Delhi, Tis Hazari Courts, Delhi.
3. These appeals i.e. Appeal Nos.539/2025 and 540/2025 were taken by learned Appellate Tribunal on 04.08.2025 and while entertaining the appeals, notice was issued with respect to the appeals as well as on the

CM(M) 1505/2025 & connected matter

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interim applications, whereby, the appellants were seeking stay of demolition.

4. The appeals are listed today for further consideration before the learned Appellate Tribunal but it has been apprised that Sh. Abhilash Malhotra, learned Additional District & Sessions Judge, who was presiding over the abovesaid Appellate Tribunal has since been transferred and new incumbent has yet not joined and, therefore, it is apprehended that if no indulgence is granted, the corporation may go ahead with the demolition, rendering the abovesaid appeals infructuous.

5. Learned counsel for respondent/corporation appears on advance notice and submits that, without prejudice to their rights and contentions, they would not take any further precipitative steps for a period of four weeks from today.

6. Such assurance is taken on record and on the basis of the abovesaid assurance, Mr. Praveen Suri, learned counsel for petitioners, does not press the present petition. However, he seeks liberty to revive the present petitions in case there is no change in the situation.

7. Present petitions alongwith pending applications stand disposed of in aforesaid terms with the above liberty.

8. However, a copy of this order be sent to Worthy Registrar General of this Court with request to pursue the matter with the concerned Authorities so that the requisite Notification is issued and the new incumbent joins as Presiding Officer, Appellate Tribunal, Municipal Corporation of Delhi, Tis Hazari Courts, Delhi, without any delay.

MANOJ JAIN, J

AUGUST 12, 2025/ck/shs



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