

**IN THE COURT OF SH. AMIT KUMAR :**  
**ADDL. DISTRICT & SESSIONS JUDGE-CUM-PRESIDING OFFICER,**  
**APPELLATE TRIBUNAL, M.C.D., DELHI.**

**APPEAL NO. 583/ATMCD/2025.**

**Sh. Anupam Vibhtia  
S/o Sh. Krishna Vibhuti,  
R/o 59, Siddhartha Enclave,  
Ashram Chowk, New Delhi-110014.**

**..... Appellant**

**Vs**

**Municipal Corporation of Delhi  
Through its Commissioner  
Civic Center, Minto Road,  
Near Zakir Hussain Collage,  
New Delhi-110002**

**..... Respondent**

<b>Date of Filing of Appeal</b>	<b>:</b>	<b>18.08.2025</b>
<b>Date of Order</b>	<b>:</b>	<b>04.11.2025</b>

**ORDER**

1. The demolition order dated 22.07.2025 has been challenged primarily on the ground that the extent of deviation and whether the same are compoundable or not, were not brought to the knowledge of the appellant. The hearing was closed on 23.06.2025 and simultaneously on the same day, the property was inspected by the concerned JE.
2. I have gone through the demolition order which reflects that the proceedings of personal hearing was closed on 23.06.2025 with noting that neither the appellant nor his representative is present and on the same very day, the JE(B) inspected the property and found that internal open space has been covered, open space near kitchen has been covered and the terrace on the first floor has been covered with temporary sheet. It is not recorded whether the same was informed to the appellant specifically as to whether these are compoundable or not. Otherwise also, inspection was done on the same very day when the personal hearing was closed. It appears that respondent

was in a hurry to pass the said demolition order without giving fair opportunity to the appellant to reply to the alleged unauthorized construction.

3. In these facts, the demolition order dated 22.07.2025 is set aside. The respondent shall give fresh personal hearing to the appellant with liberty to the appellant to file documents in support of his defense. The appellant be also informed whether the so-called deviations are compoundable or not. The appellant shall appear before the Quasi Judicial Authority on 01.12.2025 at 2.00 pm and speaking order shall be passed within 6 weeks after conclusion of the personal hearing by the same officer who gives personal hearing to the appellant.
4. The appeal stands disposed off.
5. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

**Announced in the Open Court  
Today i.e. on 04.11.2025**

**(AMIT KUMAR)  
District Judge-cum-P.O.  
Appellate Tribunal : MCD Delhi**