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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5596/2020, CM APPL. 20213/2020 (stay) & CM APPL.
20214/2020 (exemption)
SWAMITVA AWASIYA VIKAS SANSTHA (REGD.)

..... Petitioner

Through: Mr. V.C. Shukla, Mr. Ajay Awasthi
and Mr. Tarun Guli, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through: Ms. Biji Rajesh, Advocate for Mr.
Gaurang Kanth, SC for SDMC.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **24.08.2020**

The hearing was conducted through video conferencing.

1. The petitioner is aggrieved by the permission granted to R-3 for installation of a telecom tower on a property bearing number 58, Kh. No. 34/10, L-1-A Block, Gali No. 13, Sangam Vihar, Village-Devli, New Delhi, within the ambit of the RWA. It is not in dispute that installation of such a tower is permissible under the extant rules and policy of the Government. However, the structural safety of the building concerned has to be examined and ensured.
2. The learned counsel for the South Delhi Municipal Corporation (SDMC) submits that the structural safety of the building has already

been assessed and there is no threat of the tower being a cause for concern. It is further submitted that the structural safety certificate is a mandatory requirement and the said certificate was submitted to the Corporation along with the application.

3. Nevertheless, the Corporation is directed to inspect the premises within the next week and make an assessment for itself, in order to ensure the structural safety of the building in question, meets the claim in the said certificate. It shall communicate its observations to the petitioner.
4. No further orders are required at this stage. Accordingly, the writ petition, along with pending applications, is disposed-off in terms of the above.
5. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 24, 2020

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