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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2266/2017 & CM APPL. 9798/2017
WARISHA Petitioner
Through Mr.N.U.Ahmed, Adv.

versus

SOUTH DELHI MUNICIPAL
CORPORATION & ANR Respondents
Through Mr.Jitendra Kumar Tripathi, Adv. for
R-1/SDMC.
Ms.Sukriti Ghai, Adv. for Mr.Devesh
Singh, ASC (Civil), GNCTD.
Mr.Jitesh Vikram Srivastava, Adv. for
R-4.
Mr.Rohit Jain, Adv. for R-7

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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14.01.2020

This writ petition is filed by the petitioner seeking a writ, order or direction to remove mobile/cell tower from the terrace of the building bearing No.248, Hauz Rani, Near Malviya Nagar, New Delhi- 17.

Respondent No.1/SDMC has filed a status report on 04.05.2017 stating that erection of mobile/cell tower is unauthorised and instruction has been issued for demolition of the same. It is also stated that respondent No.7/Indus Tower Ltd. has also filed appropriate proceedings before the learned ATMCD, which is said to be pending.

In the meantime, respondent No.1/SDMC has also filed another status report on 14.01.2020. As per status report, the said Indus Tower Ltd. has subsequently applied for permission/regularisation of RTT site installed at

subject property. Necessary permission has been granted on 18.09.2019 in terms of the conditions stipulated therein.

I may note that terms and conditions of the new policy has been put in place by the municipal corporation pursuant to an order dated 28.08.2017 passed by the Division Bench of this court in LPA 572/2011. The said policy contains large number of stipulations which have to be complied with by the said Indus Tower Ltd.

Learned counsel for the petitioner states that the building in question is in dilapidated condition and is also suffering from structure instability.

Learned counsel for respondent No.7 submits that in terms of the new policy a structure stability certificate has been issued by IIT and that has been filed before respondent No.1/SDMC by respondent No.7/Indus Tower Ltd.

As the installation of the mobile tower has been regularized, in my opinion, nothing further survives in the present petition. The petition is accordingly disposed of. All pending applications, if any, are also disposed of.

JAYANT NATH, J.

JANUARY 14, 2020/v