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

+ **W.P.(C) 1099/2026 with CM APPL. 5349/2026 and CM APPL. 5350/2026**

VIJAY MUTNEJA

.....Petitioner

Through: **Ms. Manjula Gandhi & Ms. Akriti Singh, Advocates.**

versus

AIRCEL LIMITED THROUGH ITS MONITORING COMMITTEE & ORS.

.....Respondents

Through: **Mr. Kapil Dutta, Standing Counsel for MCD/R-3 with Mr. Rachit Singh, Advocate.**

Mr. Raj Kumar Yadav & Mr. Praveen Daliya, Advocates for R-4.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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27.01.2026

CM APPL. 5350/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of

W.P.(C) 1099/2026

3. The present writ petition has been filed seeking a direction to the respondents to remove and dismantle the mobile tower installed on the roof of the property bearing no. *S-23, Rajouri Garden, New Delhi – 110027*, which is owned by the petitioner.
4. In the alternative, the petitioner seeks permission to remove and dispose of the aforesaid mobile tower.

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5. Issue Notice.
6. Notice is accepted by counsel appearing on behalf of the respondents no.3 and 4
7. Let notice be issued to the respondents no.1 and 2, through all permissible modes, including through e-mail.
8. Mr. Dutta, Standing Counsel appearing on behalf of MCD submits that they inspected the subject property today morning and found that the mobile tower is not functional.
9. However, he submits that MCD does not have the expertise to remove the mobile tower.
10. Counter-affidavit(s), be filed within four (4) weeks.
11. Rejoinder, if any, be filed before the next date of hearing.
12. List on 23rd March, 2026.

AMIT BANSAL, J

JANUARY 27, 2026
at