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

+ W.P.(C) 16518/2025 with CM APPL. 67692/2025 and CM APPL. 67693/2025

SUNIL TYAGI & ORS.

.....Petitioners

Through: Mr. Vivek Kumar Karn, Mr. Sahil Sharma and Mr. Pradeep Dudy, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI, THROUGH THE
DEPUTY COMMISSIONER (SOUTH) & ORS.Respondents

Through: Mr. Izhar Ahmad, Advocate for R-2
& R-3.

Mr. Abhinav Singh, Advocate for
R-4.

Mr. Tushar Sannu and Ms. Pulak
Gupta Joshi, Advocates for GNCTD.

Mr. Chander Lall, Mr. Mehul Parti,
Mr. Ashwani Malhotra and Ms.
Shivangi, Advocates for R-6.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

12.03.2026

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1. The present writ petition has been filed seeking directions to the respondents no. 1 to 4, to take immediate action to stop the on-going illegal installation of a mobile telecommunication tower on the terrace of *House No. 408, Khasra No. 60, Ambedkar Colony, Chattarpur, New Delhi-110074* (hereinafter the 'subject property').

2. On 31st October, 2025, this Court passed a *status quo* order with



2024:04C:1742

respect to installation of mobile telecommunication tower at the subject property. Further, MCD was directed to get a fresh inspection conducted by a Structural Engineer at the expense of the petitioner.

3. Counsel for the respondent no.1/MCD submits that a fresh inspection could not be conducted by a Structural Engineer as the petitioner failed to pay the requisite charges.

4. Mr. Lall, Senior Counsel appearing on behalf of the respondent no. 6/ Indus Towers Limited submits that a Structural Stability Certificate has been filed with the MCD, in terms of the Telecommunications (Right of Way) Rules, 2024. It is further submitted that MCD has not raised any objections *qua* the said Structural Stability Certificate.

5. He further submits that a fresh Structural Stability Certificate, issued by IIT Bhubaneswar has also been obtained.

5.1. Let the same be placed on record and a copy thereof be supplied to counsel for the petitioner as well as to counsel for the respondent no.1/MCD.

5.2. The MCD shall examine the said Structural Stability Certificate issued by IIT Bhubaneswar and state if it is satisfactory.

6. In view of the aforesaid submissions, the order passed by this Court on 31st October, 2025 is modified to the extent that the respondent no. 6 shall be permitted to complete the process of installation of the mobile telecommunication tower at the subject property.

6.1. However, the same shall not be energized till the next date of hearing.

7. Counter-affidavit/status report be filed by the respondent no. 1/MCD and the respondent no. 6/ Indus Towers Limited within four (4) weeks.

8. List on 29th April, 2026 in first ten matters in the category of



‘Advance List’.

MARCH 12, 2026
at

AMIT BANSAL, J