

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 536 OF 2014

ATC TELECOM TOWER CORPORATION PVT.
LTD., THR. ITS AUTHORIZED
REPRESENTATIVES MR. ABHAY PATIL

... Petitioner

Versus

STATE OF GOA THR. CHIEF SECRETARY
AND 2 ORS.,

... Respondents

Shri Galileo Francisco Teles, Advocate for the petitioner.
Shri A. Prabhudessai, Additional Govt. Advocate for the respondents
No.1 and 3.
Shri Ashwin D. Bhobe, Advocate for the respondent No.2.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 30th June, 2015

P.C.:

Heard Shri G. Teles, learned Counsel appearing for the petitioner, Shri A. Prabhudessai, learned Additional Govt. Advocate appearing for the respondents No.1 and 3 and Shri A. D. Bhobe, learned Counsel appearing for the respondent No.2.

2. The above petition, inter alia, seeks directions to the respondents to examine the application filed by the petitioner for erection of a mobile tower on the concerned building. During the course of hearing, it was brought to our notice that the mobile tower has been dismantled and presently it is not in existence at the site.

3. In such circumstances, though it is the contention of Shri Teles that the Authorities have not examined the fact that the application for revision of the licence to erect the mobile tower was not considered at the time of refusing the application, we find that as the mobile tower itself is not in existence, the question of examining that aspect at this stage would be academic. The petition is, accordingly, dismissed. Needless to say, the petitioner, if so entitled, may proceed to seek the permissions in accordance with law. All the contentions of the parties are left open.

K. L. WADANE, J.

F. M. REIS, J.

ssm.