

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7808 OF 2012

Indus Towers Limited and Others. .. Petitioners
Vs

Pimpri Chinchwad New Town
Development Authority and Others. .. Respondents

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Dr. Veerendra V. Tulzapurkar, Senior Advocate along with Shri Amit Jamsandekar and Shri Rahul R. Bothra i/by D.H. Law Associates for the Petitioners.

Shri Vijay D. Patil for Respondent Nos.1 and 2.

Shri V.S. Gokhale, AGP for Respondent No.3.

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CORAM : A.S. OKA & A.K.MENON, JJ
DATED : 15TH JANUARY 2015

PC.

. Heard the learned senior counsel appearing for the Petitioners and the learned counsel appearing for the First and Second Respondents. The learned AGP represents the Third Respondent.

2. The learned senior counsel appearing for the Petitioners on instructions of the Petitioners states that within a period of four weeks from today, application will be made by the Petitioners for grant of permission in relation to the towers which are subject matter of this Petition. We accept the statement made on instructions. In view of this statement, we pass the following order:

ORDER :

- (a) If the Applications are made by the Petitioners in accordance with the Rules within a period of four weeks from today, the said Applications shall be decided by the First Respondent Authority within a period of three months from the date on which the Applications are made;
- (b) If the Applications are made within a period of four weeks from today, the ad-interim relief granted on 14th August 2012 shall continue to operate till the Applications are decided;
- (c) The orders passed on the Applications be communicated to the Petitioners. If the said orders be adverse to the Petitioners, the ad-interim relief granted on 14th August 2012 shall continue to operate for a period of four weeks from the date on which the orders are communicated to the Petitioners;

- (d) It will be open to the Petitioners to produce copies of the order passed by this Court in Writ Petition (Lodging) No.2043 of 2014 (*Tower and Infrastructure Providers Association and Another v. State of Maharashtra, through the Principal Secretary Department of Urban Development and Another*) before the First Respondent;
- (e) It is obvious that if the said orders are relevant and bind the First and Second Respondents, the same shall be taken into consideration;
- (f) All contentions of the parties on merits are kept open;
- (g) The Petition is disposed of on above terms.

(A.K.MENON, J)

(A.S. OKA, J)