

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.3182 of 2016

- Atc Telecom Tower Corporation Private Limited Having Its Registered Office At Plot No. B-15, 1st Floor, Sector 32, Gurgaon, Haryana, Circle Office At 20- A, 2nd Floor, S B I Colony, Zone 2, M. P. Nagar, Bhopal, Through Its Authorised Signatory Mr. Rakesh Singh, S/o Shri Bharat Singh, Aged About 48 Years, Office At 20- A, 2nd Floor, S B I Colony, Zone 2, M.P. Nagar, Bhopal (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home, Govt. Of Chhattisgarh, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. Superintendent Of Police, Bhilai Durg, Distt Durg, (Chhattisgarh)
3. Collector, Durg, Distt. Durg, (Chhattisgarh)
4. Union Of India, Through Secretary, Department Of Telecommunications, Ministry Of Communication & I T, Government Of India, New Delhi

---- Respondents

For Petitioner	:	Shri Vaibhav Shukla, Advocate
For Respondent/State	:	Shri Ramakant Mishra, Dy.AG
For Respondent/UOI	:	Shri NK Vyas, ASG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/04/2017

Heard.

2. The petitioner has filed this petition seeking limited direction by submitting that though the petitioner has erected Mobile Towers, after due permission and license, the petitioner is not being allowed to operate the same, because of public agitation.
3. This case was being heard analogously with other petitions i.e. WPC Nos.

693 & 879 of 2015, in which, order has been passed separately.

4. If there is a permission granted to the petitioner to erect Mobile Towers and the same stands, the petitioner is entitled under the law to carry out the activity, unless there is any prohibitory order passed by the competent authority in accordance with law. Certainly, the authorities are duty bound to take care of any hooliganism in accordance with law. If the petitioner is having any complaint with regard to hooliganism/criminal activity against the petitioner, he may submit a representation to the respondent No.2, who shall consider the same and take appropriate action to protect life and property of the petitioner in accordance with law.

5. With the aforesaid observation, the petition is finally disposed off.

SD/-
(**Manindra Mohan Shrivastava**)
Judge