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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2146 OF 2016

Ganesh Rai

... Petitioner

Vs.

The State of Maharashtra and Ors.

... Respondents

Mr. Sanjiv Sawant a/w Mr. Virendra Singh for the Petitioner.

Mr. Kedar Dighe, AGP for the Respondent No.1.

Ms. Vandana Mahadik for the Respondent No.3.

Mr. Surel Shah a/w Mr. Prasad Dhonde & Mr. Taufiq Kapadia & Mr. Amit Khairnar i/by D.H. Law Associates for the Respondent No.5.

**CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 17th JULY, 2017

P.C.

1 The learned counsel appearing for the fifth respondent on instructions states that the mobile tower subject matter of communication dated 8th July, 2016 (taken on record and marked 'Y' for identification) alongwith its equipment will be removed by the fifth respondent within a period of two weeks from today. We accept the said statement. We make it clear that the fourth respondent and its members will have to permit representatives of the fifth respondent to enter the building for the purposes of removing the tower and other equipment.

2 In view of the aforesaid statement which is accepted by the Court, the Writ Petition need not be kept pending and the same is disposed of. On the failure of the fifth respondent to remove the mobile tower within a period of two weeks from today, it will be open for the third respondent – Municipal Corporation to remove the same.

(SMT. VIBHA KANKANWADI, J)

(A.S. OKA, J)