

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP No.16148 of 2017  
Date of Decision: 26.07.2017

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Videocon Telecom Towers Pvt. Ltd.

....Petitioner

**Vs.**

State of Punjab and others

....Respondents

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**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN**

Present: Mr.Vishal Gupta, Advocate,  
for the petitioner.

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***RAKESH KUMAR JAIN, J. (ORAL)***

This petition is filed in order to challenge the order dated 6.7.2017, passed by the Executive Officer, Municipal Council, Lalru by which permission granted to the petitioner, vide letter dated 12.04.2017, for erection of Telecom pole in Ward No.5, Prem Nagar, Near Jaswindera School, Lalru Mandi has been withdrawn on the agitation of the residents.

Learned counsel for the petitioner has submitted that the permission was granted in terms of the guidelines issued by the Government of Punjab, Department of Industries & Commerce dated 5.12.2013 called 'the guidelines for laying of telecom infrastructure by licensees'. He has been fair with the Court to contend that it is also provided in the guidelines that *"in case of any dispute between the licensee and the local authority, the Administrative Secretary of the concerned department will be the final authority for settlement of such dispute and such decision will be binding on both the parties"*.

Once there is a mechanism provided in the guidelines as per which the permission was granted and withdrawn, the writ petition before this Court is not maintainable as the petitioner has to first exhaust the remedy provided in the guidelines. Therefore, the present petition is not maintainable in view of the availability of alternative remedy in the guidelines.

In view thereof, the present petition is hereby disposed of, relegating the petitioner to avail its remedy provided in the guidelines, if so advised.

**26.07.2017**

*Vivek*

**(RAKESH KUMAR JAIN)**  
**JUDGE**

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*                      *Yes/No*