

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**PUBLIC INTEREST LITIGATION NO. 131 OF 2014
KIRAN SUKHDEO DHEPE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. N.L. Jadhav, Advocate for the petitioner.
Mr.S.B. Yawalkar, AGP for respondent/State.
Mr.S.S. Tope, Advocate for R-2.
Mr.Ajit Kadethankar, Advocate for R-4.

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.
DATED : 03.04.2018**

P.C. :-

1. This Public Interest Litigation (for short "PIL") is filed with following prayer:-

"B) By issuing of writ of mandamus or any other writ, order, or direction in the like nature, direct the respondent no.2 to remove illegal mobile tower, erected by the respondent no.3 and 4 on the building plot no.F-10 situated at Shivshankar Colony, Aurangabad."

2. Learned Counsel appearing for respondent No.4 has tendered across the bar a letter written by respondent No.4 addressed to the Registry of this Court. The same is taken on record and marked "X" for identification purpose. The contents of the said letter reads thus :-

"We Reliance Jio Infocomm would like to submit that the mobile tower site which is supposed to be erected on the plot of Mr. Jagannath Kisanrao Korhale situated at F-10, S.14, Shivshankar Colony, Khadda DP Road, Aurangabad has been cancelled and the site has been dropped now. The cancellation of the site is without prejudice to the merits of our company's case/defence in the captioned writ petition.

Further we would also like to submit that the tower material lying at the site for construction and erection of mobile tower has also been removed from the site."

3. Upon careful perusal of the aforementioned contents of the said letter, it is abundantly clear that respondent No.4's plan to erect mobile tower on building plot No.F-10, S.14, Shivshankar Colony, Khadda DP Road, Aurangabad has been cancelled and the said site has been dropped. In that view of the matter, nothing further survives for consideration in this PIL.

4. The PIL stands disposed of.

[S . M . GAVHANE , J .]

[S . S . SHINDE , J .]