

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

**CIVIL APPLICATION NO.14911 OF 2018
IN WP/9748/2018**

INDUS TOWER LIMITED
VERSUS
NANDED WAGHALA MUNICIPAL CORPORATION NANDED THROUGH
COMMISSIONER AND ANOTHER

...
Advocate for Applicant : Mr. Sachin S. Deshmukh
Advocate for Respondent No. 1 : Mr. R. K. Ingole
...

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 14th DECEMBER, 2018

Order :-

- 1 Heard learned counsel for appearing parties.
2. Learned counsel appearing for respondents, on instructions, submits that petitioner has established the tower without obtaining prior permission. He further submits that property tax are not deposited by the petitioner, therefore, respondents have sealed the tower.
3. In response to submissions made by learned counsel appearing for respondents, learned counsel appearing for petitioner submits that the petitioner has filed application in the year 2016 seeking permission of the respondents to erect the towers. He further on instructions submits that petitioner is ready to deposit property tax.

4. In the light of submissions made across Bar and undertaking of the petitioner that it would deposit property tax, if already not deposited, on or before 3rd January, 2019. We direct respondents to remove seal of the petitioner's towers subject to orders which would be passed by this Court in Writ Petition No. 9748 of 2018. Meantime, the respondents to take decision on the application filed by the petitioner seeking permission, as expeditiously as possible, however, within a period of two weeks from today. With the above observations, civil application stands disposed of. We make it clear that today's order is interim arrangement will be subject to outcome of the aforesaid writ petition.

5. Parties to act upon authenticated copy of this order.

[K. K. SONAWANE, J.]

[S. S. SHINDE, J.]

MTK