

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13538 OF 2017

Idea Cellular Limited and another. ... Petitioner.
V/s.
Pune Municipal Corporation and others. ... Respondents.

Mr.Zubin Behramkamdin with Ms.Sneha Jaisingh and Mr.Ankit
Pathak i/b. Bharucha & Partners for the petitioners.

Mr.S.U.Kamdar, Senior Advocate with Mr.Rhishikesh M. Pethe for
respondent Nos.1 and 2.

Mr.S.U.Kamdar, Senior Advocate i/b. Mr.Vishwanath Patil
for respondent No.3.

CORAM : A.S.OKA AND P.N.DESHMUKH, JJ.

DATE : 9th January 2018

PC.:

The learned senior counsel appearing for the first to third respondents, on instruction, states that the third respondent has not issued any such order which is recorded in the letter dated 16th October 2017 (Exh.AR-1 to the affidavit-in-reply filed by the third respondent). He states that what is recorded in the letter dated 16th October 2017 is a decision of the General Body. He further states that there is no resolution passed by the General Body to cancel the permission granted to the petitioners. On instruction, he further states that the communication

dated 16th October 2017 (Exh.G to the petition) stands withdrawn. He states that the first respondent will initiate an appropriate action in accordance with law against the petitioners and liberty in that behalf be reserved.

2. We accept the aforesaid statements, made on instruction. In view of the fact that communication (Exh.G to the petition) is withdrawn, it is not necessary to keep the petition pending. However, it is made clear that it will always be open to the first and second respondents to take appropriate action in accordance with law against the petitioners.

3. Subject to what is observed above, petition is disposed of.

(PN.DESHMUKH, J.)

(A.S.OKA, J.)