

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 423/2012

Madhusudan Jaikisan Bhaiya & anr.

..VS..

MSETC Ltd. & ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.

DATED : 14/09/2018

1] Heard Advocate Tapadia holding for Advocate Mundra, Advocate Moharir and Ms. K.R. Deshpande, learned AGP.

2] The controversy involved is about order dated 22/07/2011 passed by the respondent no. 2 under Section 16 of the Indian Telegraph Act, 1885 read with Electricity Act 2003.

3] It is not in dispute that as per that order, the work of erection of towers connecting them and charging are all over.

4] In this situation, this Court has already found that only remedy is to approach District Court for recovery of damages. One such view is taken on 30/01/2018 while deciding W.P. No. 1040/2012 by me.

5] In this situation, keeping relevant contentions having bearing on damages and compensation open and with

liberty to petitioners to take necessary steps as per law in that respect, present writ petition is disposed of as infructuous. Rule discharged. No costs.

JUDGE

Ansari