

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1528 of 2019

M/s Bharti Airtel Ltd. 3rd- 4th Floor, Metro Tower, A.B. Road, Indore Madhya Pradesh. Through Its Authorized Signatory Shri Sanjeev Jain S/o Shri Mahendra Kumar Jain Age 39 Year, R/o Flat 202, 30 Tilak Nagar, Indore Madhya Pradesh.

---- Petitioner

Versus

1. Municipal Corporation Raipur, Through Its Commissioner, Nagar, Nigam Head Office, Near, Mahila Thana Gandhi Udyan Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through Its Secretary, Urban Administraion And Development Department, Mahanadi Bhawan, Mantralaya, Naya Raipur Chhattisgarh.
3. Commissioner Directorate Of Urban Adminsitration And Development, RDA Building GE Road, Near Shastri Chowk, Raipur Chhattisgarh.
4. Zonal Commissioner-6, Office Of Commissioner, Raipur, Municipal Corporation, Raipur, Chhattigarh.

---- Respondents

For Petitioner	:	Shri Anand Dadariya, Advocate
For Respondent No.1	:	Shri Pankaj Agrawal, Advocate with Ms. Deepali Dubey, Advocate
For Respondents/State	:	Shri Anmol Sharma, P. L.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/05/2019

1. Heard.
2. The present petition has been filed on the ground that the petitioner has installed roof-top pole antennas at Santoshi Nagar, Tikrapara, Raipur which was sealed by respondent without any notice or opportunity of hearing.

3. It is contended that without any demand or notice, all of a sudden, the respondent Municipal Corporation has sealed one pole antenna installed by petitioner and because of such sealing the petitioner company is facing hardship as lot of inconvenience is caused inturn to the persons who are using the network of the petitioner's company i.e. consumers.
4. On the previous date of hearing, the respondent company was directed to seek instructions. The counsel for the respondents on instructions submit that the respondents may be given liberty to give notice and thereafter shall hear the petitioner company and subsequent to that shall act accordingly.
5. In view of such, submission made it is directed that the sealing roof-top pole antenna shall be de-sealed immediately within a week and thereafter if such sealing is being contemplated the petitioner shall be served with due notice and after opportunity of hearing the Municipal Corporation may take further action, if any.
6. It is further made clear that this Court has not observed any thing in the respect to the taxing event which is within the domain of the Municipal Corporation.
7. With such observation the petition is disposed of.

Jyoti

Sd/-
Goutam Bhaduri
Judge