

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 917 OF 2019

IN

WRIT PETITION NO. 3609 OF 2019

Indus Towers Ltd

..Applicant

Vs.

Bhiwandi Nizampur City Municipal

Corporation Bhiwandi and Others

..Respondents

Mr. A. V. Anturkar, Senior Advocate a/w Mr. S. B. Deshmukh, for
the Applicant.

Mr. N. R. Bubna, for Respondent Nos.1 to 4.

CORAM:-S. C. DHARMADHIKARI &

B. P. COLABAWALLA, JJ.

DATE :- APRIL 04, 2019.

P. C.:

Not on Board. Taken on Board.

2 This Civil Application is taken up urgently at the
request of Mr. Anturkar, learned senior counsel for the Applicant.

3 On notice and since the matter was urgent but without
it being listed on our Board, we requested Mr. Bubna, learned
counsel appearing for the Municipal Corporation to take
instructions. Mr. Bubna has accepted notice and waives service

for the Respondents. On Mr. Bubna's attention being invited to paragraph 9 of this Civil Application and the apprehension of the Applicant's senior counsel that the materials not only being removed but retained by Respondent No.1 Corporation's officials would paralyze the functioning of the mobile tower and would also affect the customers of this service providers, on instructions, Mr. Bubna says that the materials taken away, namely the power supply adapter instrument and the ground cable would be returned to the Applicant's representative on or before 5th April, 2019.

4 Till the reply affidavit is filed to this Civil Application and even to the Writ Petition, Mr. Bubna says on instructions that the Respondents will not take any coercive steps so as to disrupt the business activity of the Applicant/Petitioner.

5 We accept this statement as an undertaking to this Court. In view thereof, presently no ad-interim relief.

6 The Civil Application stands disposed of.

7 Place the Writ Petition on Board on 11th April, 2019.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)