

**248 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-27613-2019 (O&M)

Date of Decision: 14.10.2019.

ATC Telecom Infrastructure Private Limited

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present Mr. Sunil Garg, Advocate
for the petitioner.

Ms. Gunkirat Kaur, AAG Punjab.

Mr. Ashok Kumar Bajaj, Advocate
for respondent Nos. 3 & 4.

JITENDRA CHAUHAN.J.(ORAL)

Through the instant civil writ petition, the petitioner seeks quashing of order/letter dated 05.09.2019 (Annexure P-9) passed by respondent No.4 vide which permission granted to the petitioner to instal pole over property situated at Village Bhora, Manjit Vihar (Aman Nagar), Ludhiana was revoked.

Reply on behalf of respondent Nos. 3 & 4 has been filed today in the Court and the same is taken on record subject to all just exceptions. Copy has been supplied.

The petitioner was allowed permission to instal tower vide order dated 02.08.2019 subject to compliance of condition No.12 to have permission from the Punjab Pollution Control Board for

installation of the generator set. Learned counsel for the petitioner states that the petitioner has neither installed the generator set on the site nor intends to instal the same in future.

In view of the above, the present petition is disposed of with a direction to the Municipal Corporation, Ludhiana-respondent No.3 to re-examine the application of the petitioner and in case, there is no impediment then the necessary permission be granted to the petitioner as per law. The fresh application be filed within four weeks from today. The authorities will consider the fresh application within four weeks thereafter.

The operation and effect of impugned order dated 05.09.2019 (Annexure P-9) shall remain stayed till the passing of the final order by the authorities.

14.10.2019.
rajeev(rvs)

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No