

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5820 OF 2020

ATC Telecom Infrastructure Private
Limited, Andheri, Mumbai having
its Circle Office at Pune through
its Authorized Signatory

..Petitioner

Versus

The Municipal Corporation of
Aurangabad through its
Commissioner and ors.

..Respondents

Mr R.R. Karpe, Advocate for petitioner
Mr S.S. Tope, Advocate for respondents no.1 and 2
Mr S.B. Yawalkar, Addl.G.P. for respondents no.3 and 4

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 9th September 2020

PER COURT:

1. We have heard Mr Karpe, the learned Counsel for petitioner and Mr Tope, the learned Advocate for respondents no.1 and 2.
2. During the course of hearing, Mr Tope for respondents no.1 and 2 refers to Clause 18 of the policy dated 17.2.2018 and submits that as the petitioner is relying upon the policy dated 17.2.2018, the petitioner can resort to the remedy under Clause 18 of the policy.
3. Considering the above, we relegate the petitioner to avail the alternate remedy, as contended under policy dated 17.2.2018 (Clause 18).

4. The interim orders passed by this Court on 20.8.2020 shall continue for a period of ten days from today, so as to enable the petitioner to avail the alternate remedy. All contentions of the respective parties kept open.

5. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

vvr