

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2716 OF 2019

M/s. Sai Shraddha CHSL, through Secretary ... Petitioner

Versus

Navi Mumbai Municipal Corporation and others ... Respondents

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Mr. Ansari Asggar Kalim for the Petitioner.

Mr. Sandeep Marne for Respondent Nos.1 to 3.

Mrs. A.A. Purav, AGP for Respondent No.4.

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CORAM : S.J. KATHAWALLA AND
B.P. COLABAWALLA, JJ.

DATED : JANUARY 13, 2020.

P.C. :-

1. The above Writ Petition is filed by Sai Shraddha Co-operative Housing Society Ltd. - Petitioner inter-alia seeking the following reliefs :-

“(a) That this Hon’ble Court be pleased to issue a writ of Mandamus or a writ in the nature of Mandamus or any other writ direction or order under Article 226 of the Constitution of India, directing the Respondents to first decide the Application for Regularisation/Permission/Approval dated 19.02.2019 of the mobile tower company.

(b) That this Hon’ble Court issue writ of certiorari or any other writ direction or order calling for the Records of the notice dated 1.10.2018 and upon examining the legality, validity and propriety of the same, this Hon’ble Court may be pleased to quash and set aside the impugned notice dated 1.10.2018 issued by the Respondents No.2 and notice dated 20.01.2019.”

2. The Learned Advocate appearing for Respondent Nos.1 to 3 has informed the Court that the mobile tower has been demolished on 9th October, 2018 and the application received from the Reliance Jio dated 11th October, 2018 is also rejected by an order dated 28th November, 2018. The above Writ Petition is therefore disposed off as infructuous.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)