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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6799 OF 2021

ATC Telecom Infrastructure Pvt. Ltd. ... Petitioner

Versus

Gram Panchayat Nandgaon, Tarf Bhirwadi and others ... Respondents

.....

Mr. Shrey Fatterpekar instructed by Mr. D.S. Patil for the Petitioner.

Ms. S.D. Vyas, 'B' Panel Counsel for the State.

Mr. Mitesh Parmar instructed by Law Experts for Respondent No.3.

Mr. Sanjay Gopinath Deshmukh, Sarpanch, present.

Mr. Sushant Chile, Gramsevak, present.

.....

CORAM : S.J. KATHAWALLA AND

MILIND N. JADHAV, JJ.

DATED : NOVEMBER 26, 2021.

P.C. :-

1. The Learned Advocate representing the Respondents states that the Respondents are in the process of carrying out fresh assessment of the subject land on which the mobile tower is put up, after which they will raise fresh bills on the Petitioner/owner in place of Exhibits 'A1', 'A2', 'B1' and 'B2' to the Writ Petition. In view thereof, we pass the following Order :

(i) The impugned bills dated 5th April, 2021 and the demand notices dated 8th September, 2021 (marked as Exhibits 'A1', 'A2', 'B1' and 'B2' to the above Writ Petition) are set aside.

(ii) The Sarpanch and the Gramsevak shall hear all concerned and after

carrying out fresh assessment of the subject land issue fresh bills / demand notices to the Petitioner and Respondent Nos.7 and 8.

(iii) All contentions of the parties are kept open including issue of limitation.

2. The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)