

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12185 OF 2022

ATC Telecom Infrastructure Pvt. Ltd. ...Petitioner  
Vs.  
The Chief Officer Ambernath Municipal  
Council and Ors. ...Respondents

Mr. D. S. Patil for the Petitioner.  
Mr. A. S. Rao for the Respondent No.1.

CORAM : NITIN JAMDAR &  
SHARMILA U. DESHMUKH, JJ.

DATED : 17 OCTOBER 2022.

P. C.:

Heard the learned counsel for the parties.

2. The learned counsel for the Petitioner, after arguing for some time, states that the Petitioner will pursue the option of regularization of the structure-cell tower cell phone with the Respondent No.1-Municipal Council.

3. Regularization application is of 8 December 2012. It is

only after notice is issued for demolition on 10 March 2022 that the Petitioner has approached this Court.

4. The learned counsel for the Petitioner states that the Petitioner will submit a fresh regularization application of the structure. The learned counsel for the Petitioner states that in the meanwhile, Cell phone tower be de-sealed as not only the Petitioner but customers of the Petitioner are affected. It is open to the Petitioner to make this request in the regularization application. If the Petitioner makes an application for regularization and seeks desealing of the structure-cell phone tower as a temporary measure, till the application is decided, we have no doubt that the Municipal Council will keep in mind the hardship caused to the Petitioner's customers because of sealing and take necessary decision.

5. The Writ Petition is disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)