

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2029 OF 2023
IN
WRIT PETITION NO. 12185 OF 2022**

ATC Telecom Infrastructure Pvt.Ltd.

IN THE MATTER OF:

ATC Telecom Infrastructure Pvt.Ltd. ..Petitioner

V/s.

The Chief Officer & Ors.

..Respondents

Mr. D.S.Patil for the Applicant.

Mr. A.S.Rao for the Respondent No.1.

Mr.R.S.Pawar AGP for Respondent No.2.

**CORAM : R.D.DHANUKA, AND
GAURI GODSE, JJ.**

DATE : 13 MARCH 2023

P.C.

. Mentioned out of turn.

2. By this Interim application the Applicant seeks an order of direction against the Respondent No.1 to decide the Application filed by the Applicant, in compliance with the order dated 17/10/2022 passed by this Court. The said application for requisition is pending since 12/12/2022, before the Respondent/Authority.

3. Mr.Rao learned counsel for Respondent No.1 on instructions states that the application for requisition, filed by the Petitioner would be considered and disposed of within four weeks from today. Statement is accepted.

4. An order to be passed by the Respondent, shall be communicated to the Petitioner within two weeks thereafter. While considering the said application of the Petitioner by the Respondent, they shall also consider whether to de-seal the Cell-Phone tower of the Petitioner and return the items set out in para 1 of the Interim Application. The application for de-sealing of the items will be considered within one week from today. Hence, following order is passed:

1. Interim Application stands disposed of in the aforesaid terms.
2. No order as to costs.
3. Parties to act on authenticated copy of this Order.
4. If the application of requisition is granted the Petitioner be granted consequential reliefs within two weeks from the date of passing of the order and if the same is rejected the Applicant would be at liberty to take out appropriate legal proceedings.

GAURI GODSE, J.

R.D.DHANUKA, J.