

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13571-2020 (O&M)
Date of decision : 29.01.2024

M/s V-Con Telecom Towers Private Limited

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Abhishek Sharma Advocate for
Mr. Vishal Gupta, Advocate
for the petitioner.

Mr. Arun William, A.A.G., Punjab.

Mr. Ashok Kumar Bazaz, Advocate
for respondents No.3 & 4.

Mr. S.S. Sodhi, Advocate for the applicant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of writ in the nature of certiorari quashing the impugned notice dated 25.08.2020 (Annexure P-10) issued by the respondents, whereby the petitioner had been called upon to remove the tower as erected by the petitioner Company on the property of Sh. Jatinder Narang, which is illegal, unjust, arbitrary and against the settled principles of and in violation of policy of State of Punjab as well as Right of Way Rules, 2016 with a further prayer for prohibiting the respondents from taking any coercive action against the installation and establishment of the mobile tower/pole site as part of infrastructure for telecommunication services from the petitioner Company.

Learned counsel for respondents No.3 & 4-Municipal Council submits that the grievance of the petitioner has already been redressed and the mobile tower has already been removed on 07.10.2022 and thus, the present petition may be disposed of as infructuous.

In view of the above, present petition is disposed of being infructuous. However, the petitioner would be at liberty to pursue its remedy as per law in case any cause of action survives.

29.01.2024
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No