



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8154 OF 2025

Maganbhai Kalubhai Jadafiya & Anr.Petitioners

Vs.

Khavda IVC Power Transmission Ltd. & Ors.Respondents

Ms. Medha Jondhale with Mr. Anand Jondhale Ms. Ranjandini Jondhale & Mr. Harshvardhan Shinde, or the Petitioners.

Mr. Harsh Moorjani with Mr. Devesh Juvekar, Ms. Kavita Brid Chavan, Ms. Honey Chandnani & Ms. Shivangi Goeli, i/b. Rajani Associates, for the Respondent No.1.

Ms. Pooja Joshi Deshpande, AGP, for the Respondent No.3 & 4-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 24th JUNE 2025.

P.C.:-

1. Learned counsel for the Respondent No.1 raises a preliminary objection with respect to the maintainability of this Petition. He states that the Petitioners have an alternate efficacious remedy of filing an appropriate proceeding, i.e., an Application under Section 17 of the Indian Telegraph Act, 1885, before the appropriate authority.

2. In view of the preliminary objection raised by the learned counsel appearing for the Respondent No.1, learned counsel for the

Petitioners, on instructions, seeks leave to withdraw the Petition with liberty to pursue the alternate efficacious remedy before the appropriate Authority, i.e., District Magistrate.

3. If such an Application is made, the concerned Authority to decide the said Application expeditiously.

4. The Petition is disposed of as withdrawn with liberty as prayed for.

5. Needless to state, that we have not gone into the merits of the Petition and as such, keep all contentions of all the parties on merits open.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)