

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Civil Writ Petition (PIL) No. 18040/2024

Umeed Sewa Sansthan, Non- Governmental Organization, Registered At Chamber No. 201, Laxminath Tower, Infront Of Police Control Room, Sikar, Through Its Chairman, Rakesh Kumar Dhukiya S/o Harphool Singh, Aged About 34 Years, R/o Plot No. 220, Kheri Dhukiya, Bhuma Bara, Sikar, Raj.- 332318,

----Petitioner

Versus

1. State Of Rajasthan, Through Additional Chief Secretary Department Of Local Self Bodies, Govt. Of Rajasthan, Govt. Secretariat, Jaipur, Rajasthan.
2. Principal Secretary, Department Of Urban Development And Housing, Govt. Of Rajasthan, Govt. Secretariat, Jaipur, Rajasthan.
3. Commissioner, Jaipur Municipal Corporation Greater, Jaipur, Rajasthan.
4. District Collector, Collectorate Campus, Madho Singh Road, Bani Park, District Jaipur, Rajasthan.
5. Kanta W/o Babulal, R/o House No. 1, Mahadev Nagar, Vishnupuri, Naiyon Ki Bagichi, Malviya Nagar, Jaipur.
6. Bharti Airtel Limited, Through Its Authorised Signatory, Jaipur Circle, K-21, Sunny House, Malviya Marg, C-Scheme, Jaipur- 302001, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Harendar Neel, Adv., with
Ms. Raj Bala, Adv.
For Respondent(s) : Mr. G.S. Gill, AAG, with
Ms. Shikha Sharma, Adv.

**HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE UMA SHANKER VYAS
Order**

29/11/2024

PIL has been filed by the petitioner on the allegation that installation of mobile tower by respondent No.6 is contrary to

order dated 15.09.2015 of the Government of Rajasthan in the matter of erection of mobile towers. It is submitted that representations have been made to the local body which granted permission. The representation annexed along with the petition show that the representations are being made from 27.09.2024 by residents of the area, school authorities, schools, school administrations, colleges etc.

Considering that representations have been made only recently, we are not inclined to keep this petition pending. The representation which have been made to respondent No.3 Commissioner, Jaipur Municipal Corporation Greater is required to examine the complaints through representation in the light of the Government order and other applicable laws in the matter of regulating erection of mobile tower and the decision should also be taken on the same as early as possible after affording an opportunity of hearing to the concerned agency who has erected mobile tower namely, respondent No.6 Bharti Airtel Limited.

With the aforesaid direction, the petition at this state is disposed of though with liberty to revive in case no decision is taken by the respondent No.3 within a period of two months from the date of receipt of the copy of this order.

(UMA SHANKER VYAS),J

(MANINDRA MOHAN SHRIVASTAVA),CJ

F.R. Bohra, Danish/13