

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.16402 OF 2015

DATED: 11.06.2015

Between:

Eenadu Television Private Limited

... Petitioner

and

Telecom Disputes Settlement and

Appellate Tribunal at New Delhi and others

... Respondents

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V.BHATT

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WRIT PETITION No.16402 of 2015

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PC: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

This Writ Petition impugns the order, dated 29.05.2015, passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi, in Petition No.456(C) of 2014. The order, dated 29.05.2015, is an interim order.

The only grievance of the petitioner is that despite the contention of the petitioner that it is required to verify the Subscriber Line Report of respondent No.2, no such liberty was granted while passing the interim order.

Sri Vadivelu Deenadayalan, learned counsel appearing for respondent No.2, at the outset, invited our attention to the order passed by Delhi High Court dated 05.06.2015 in the proceedings arising from the very same order, dated 29.05.2015, impugned in the present Writ Petition, and submitted that respondent No.2 has no objection for allowing the petitioner to verify the Subscriber Line Report of respondent No.2 provided the petitioner agrees for entering into a provisional agreement immediately.

Learned counsel for the petitioner, on the other hand, submits that the petitioner has no objection for entering into a provisional agreement subject to respondent No.2 undertaking to observe, in letter and spirit, the Clause 4.4.6 (a, b, c and d) of the draft agreement annexed to the petition as P.6. Counsel for respondent No.2 on behalf of respondent No.2 undertakes to observe and follow the terms and conditions of the draft agreement at annexure P.6, in particular, Clause 4.4.6 (a, b, c and d).

In the circumstances, we are satisfied that the following order shall meet the ends of justice.

“The petitioner and respondent No.2 shall enter into a provisional agreement within a period of one week from today. On such agreement being executed, respondent No.2 shall allow the

petitioner to verify its Subscriber Line Report and on being satisfied, may proceed to enter into a final agreement subject to further orders that will be passed by the Tribunal either at interlocutory stage or disposing of the petition pending before it.

Respondent No.2 is directed to abide by the terms and conditions of Clause 4.4.6 (a, b, c and d) of the draft agreement during pendency of the petition before the Tribunal. At this stage, learned counsel for respondent No.2 submits that number of subscribers, as of today, which according to him, are 1152 and area of operation is the town of Rajahmundry. His statement is recorded and accepted.”

With these observations, Writ Petition is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

11th JUNE, 2015.

S.V. BHATT, J

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