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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) No. 1533 OF 2016

Shri Sunil Tukaram Bharadkar,
Prop. Of Mauli Cable Network ... Petitioner
Vs.
Union of India & Ors. ... Respondents

Mr. Kamal Khata a/w Abhay Tikekar & Chetan Rathod i/b S.
Venkateshwar & Chetan Rathod, for the Petitioner.

Mr. H. V. Mehta, for Respondent No. 2 (TRAI).

Mr. Uma Palsule-Desai, AGP for the Respondent – State.

Mr. Venkatesh Dhond, Sr. Counsel a/w Shamima Taly i/b S.
Mamomedbhai & Co., for Respondent Nos. 4 and 5.

CORAM : V. M. KANADE, &
M. S. SONAK, JJ.

DATE : JUNE 10, 2016

PC.

1. By virtue of an order passed by the Apex Court in Transfer Petition (C) No (s). 430 - 444 of 2016, all matters which are pending in various High Courts in respect of the legal issues, which have been raised in respect of Phase-3 applications, have now been transferred to the Delhi High Court. The Apex Court has observed that :

“Having regard to the similar legal questions involved in all the Writ Petitions that are raised before different High

Courts, with a view to avoid conflicting decisions by the different High Courts, at the request made on behalf of the Union of India seeking to transfer all the writ petitions pending before the different High Courts, it would be just and proper for this Court to withdraw all those cases pending in different High Courts and transfer the same to Delhi High Court.

We order accordingly.

Further, in future, if any case on the same legal question is filed before the High Court(s), such case(s) shall also be transferred to the Delhi High Court.

The Registry of this Court is directed to communicate this Order to the Registrar General(s) of the respective High Courts for transmitting the records of the cases pending before the respective High Courts to Delhi High Court.

The transfer petitions are allowed in the aforesaid terms.”

2. In view of the above order passed by the Apex Court, all such matters will have to be filed and heard by the Delhi High Court. This petition, therefore, cannot be entertained by this Court. Writ petition is, therefore, disposed of, reserving the right of the Petitioner to file similar petition in the Delhi High Court and seek interim relief from the Delhi High Court. All contentions of both parties are kept open.

Sd/-
[M. S. SONAK, J.]

Sd/-
[V. M. KANADE, J.]