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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P.(I) (COMM.) 392/2016

TATA TELESERVICES LTD.

..... Petitioner

Through: Mr Shailesh K. Kapoor with Mr Ajay
Kumar, Advocates.

versus

NINESTARS INFORMATION TECHNOLOGIES
PRIVATE LTD.

..... Respondent

Through: Mr Ajay K. Jain, Mr Atanu
Mukherjee, Mr Akshat Kumar and Mr
Abhishek Agarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.11.2016**

1. The petitioner has filled the present petition under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter the 'Act'), *inter alia*, praying as under:-

“a). Pass an interim injunction directing the Respondent to immediately return to the Petitioner all the 17,23,311 Customer Application Forms (CAF's) of Pre-paid and Post-paid services along with 1,03,100 additional documents lying with them.”

2. At the outset, Mr Jain, learned counsel for the respondent states that the respondent would have no objection to the handing over any Customer Application Form (CAF) or any other additional documents which are lying with the respondent. He, however, submits that Customer Application

Forms (CAF) to the extent indicated are not in possession of the respondent. He further states that the Arbitral Tribunal has been constituted.

3. In view of the aforesaid statement, the respondent is directed to handover all Customer Application Forms (CAFs) of prepaid and post-paid services along with any other additional documents lying with them, to the petitioner on 28.11.2016. In the event, the process of handing over of forms is not completed on the same date the same shall continue to the next day and shall continue on a day to day basis till it the process is complete.

4. The parties are also at liberty to approach the Arbitral Tribunal for further orders. It is clarified that this order will be subject to any further order(s) that may be passed by the Arbitral Tribunal.

5. The petition is disposed of with the aforesaid clarification.

6. *Dasti.*

VIBHU BAKHRU, J

NOVEMBER 21, 2016
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