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

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Judgment delivered on: 03.05.2017

+ W.P.(C) 2500/2017

ADISHAKTI DIGITAL NETWORK & ORS

..... Petitioners

versus

UNION OF INDIA & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

None.

For the Respondents :

Mr. Kirtiman Singh, CGSC with Mr. Waize Ali Noor, Adv.
for R-1

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.05.2017

SANJEEV SACHDEVA, J. (ORAL)

1. By the present petition, the petitioner seeks a period of six months from 31.12.2017 for completing the process of Digitization of Cable Network i.e. Digital Access System and further seeks modification of Notification dated 22.12.2016 issued by the respondents whereby the multi system operators and local cable operators were informed to transmit or re-transmit Programmes of any channel only through Digital Access System after

31.01.2017.

2. Learned counsel for respondents points out that the petitioner had earlier filed a ***W.P.(C) No. 10787/2016; 'titled as Adishakti Digital Network & Ors. Vs. Union of India & Ors.'***, which was dismissed vide judgment dated 14.12.2016 and the petitioner was granted two weeks time to convert over to digital access system.

3. The present petition was filed on 17.01.2017 contending that earlier petition was pending whereas the earlier petition has already been disposed of by the said date.

4. The Notification dated 22.12.2016 was issued consequent to judgment dated 14.12.2016 as well as similar judgment in other matters on identical issue.

5. The petitioner by the present petition has prayed for six months' time and the present petition has been pending now for over four months.

6. The earlier petition was also dismissed noticing that the notification was issued by the Government on 11.11.2011. Five years had by then elapsed from the said date when the cable operators were made aware that they have to changeover to DAS. The first petition was filed in December, 2015 and was dismissed on 14.12.2016. The petitioners have already got sufficient time to complete the installation of set top boxes and the changeover to DAS.

7. There is no justification in granting the petitioner any more time for completion of installation of digital set top boxes and changeover to DAS.

8. I find no merits in the present petition. The petition is accordingly dismissed.

SANJEEV SACHDEVA, J

MAY 03, 2017
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