

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

% Date of decision: 5th December, 2018

+ LPA 677/2018, CM Nos. 51131-51132/2018
ASIANET DIGITAL NETWORK PVT LTD & ANR

..... Appellants

Through: Mr. Jayant K. Mehta, Adv. with
Mr. M. P. Vinod, Adv.

versus

STAR INDIA PVT LTD

..... Respondent

Through: Mr. Rajeev Nayyar, Sr. Adv. with
Mr. Kunal Tandon, Mr. Siddharth
Copra, Mr. Shashank Shekhar and
Mr. Prateek Jain, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

V. KAMESWAR RAO, J. (ORAL)

CM No. 51131/2018 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

LPA 677/2018

1. The present appeal has been filed by the appellants challenging the order dated November 19, 2018 passed by the learned Single Judge in W.P. (C) 12337/2018, whereby the learned Single Judge has dismissed the writ petition.

2. The grievance of the appellants before the learned Single Judge was that, an order dated October 22, 2018 passed by the Telecom Disputes Settlement and Appellate Tribunal, New Delhi (in short 'TDSAT'), whereby the TDSAT has directed the application filed by the appellants to be placed at the time of final consideration. The appellants had filed the said application for production of an agreement entered into between the respondent and M/s K.C.C.L., who according to the appellants is one of its competitors. The respondent had taken a plea that the agreement is confidential, which the appellants dispute.

4. According to the appellants and also contended by Mr. Jayant K. Mehta that the agreement is not confidential and the said issue has been well settled the Supreme Court. This submission is disputed by Mr. Rajiv Nayyar, learned Senior Counsel appearing for the respondent.

5. During the course of his submissions, Mr. Mehta has contended that the information sought is required to be given much before the arguments are advanced so that the appellants can argue on the same.

6. If that be so, liberty is with the appellants to file an appropriate application before the TDSAT in that regard and it goes without saying that the same shall be considered by the TDSAT in accordance with law.

7. The appeal is dismissed.

CM No. 51132/2018

Dismissed as infructuous.

V. KAMESWAR RAO, J

CHIEF JUSTICE

DECEMBER 05, 2018/aky

