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

+ **W.P.(C) 6245/2020**

MEGHBELA CABLE AND BROADBAND SERVICES PVT.LTD.

..... Petitioner

Through Mr.Vineet Bhagat, Adv.

versus

STAR INDIA PVT. LTD.

..... Respondent

Through Mr.Kunal Tandon, Mr.Kumar
Shashank Shekher, Mr.Amandeep
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **10.09.2020**

This hearing has been held by video conferencing.

CM No.22324/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 6245/2020& CM No.22323/2020 (Stay)

1. With the consent of the learned counsels for the parties, the petition is taken up for disposal at this stage itself.
2. This petition has been filed primarily for the reason that the learned Telecom Disputes Settlement and Appellate Tribunal (TDSAT) is not functioning and I am informed that due to certain reasons, it may not be functional in near future as well.

3. The petitioner challenges the notice issued by the respondent threatening disconnection of its TV Channel Signal on account of non-payment of monthly dues by the petitioner.
4. While the petitioner disputes the same, the learned counsel for the respondent, who appears on advance notice, has drawn my attention to the Annexure P-10, to submit that even as per the Statement of Account of the petitioner, an amount of Rs.2,35,00,000/- approximately would be due and payable by the petitioner.
5. The learned counsel for the petitioner however submits that grounds have been pleaded by the petitioner as to why this amount is not payable.
6. Without going into the merits of the case and only as an interim direction, it is directed that subject to the petitioner paying an amount of Rs.1 crore within a period of ten days; an amount Rs.35 lacs by 30.09.2020; and another sum of Rs.1 crore by 31.10.2020, without prejudice to the rights and contentions of either side in the petition to be filed before the learned TDSAT, the respondent shall not give effect to the Impugned Notice of disconnection till the petition to be filed by the petitioner before the learned TDSAT is taken up for preliminary hearing by the learned TDSAT. This amount shall be in addition to the monthly invoice amount payable by the petitioner.
7. The learned TDSAT, on hearing the parties shall be entitled to vary, modify or vacate this interim arrangement that has been made by this Court in the present order.
8. It is made clear that this Court has not expressed any opinion on the merits of the claims of either party.
9. The petitioner shall file its petition before the learned TDSAT within

a week of the Registry of the learned TDSAT re-opening for filing.

10. The petition is disposed of with the above direction. There shall be no order as to cost.

NAVIN CHAWLA, J

SEPTEMBER 10, 2020/Arya