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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2437/2021 & CM APPLs. 7087/2021, 27414/2021**
RAHUL SPRINGS PRIVATE LTD.Petitioner

Through: Mr. Vivek Sarin, Ms. Divyanshi Singh and Mr. Dhruv Dev Gupta, Advocates.

versus

UNION OF INDIARespondent
Through: Mr. Apoorv Kurup, CGSC with Ms. Nidhi Mittal, Advocate with Mr. Saurabh Kumar, G.P.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
24.07.2024

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1. The parties are litigating disputes arising from “Agreement for the Provision of KU-Band Space Segment Capacity in the INSAT-Asissa5 System” dated 08th December, 2010, before the Telecom Dispute Settlement and Appellate Tribunal.¹ According to the Petitioner, this action was initiated belatedly in September, 2018 by the Respondent, and is thus, barred by limitation.
2. Through this writ petition, the Petitioner impugns TDSAT’s orders dated 14th September, 2018 and 21st December, 2020 in Broadcasting Petition No. 477/2018 titled *Union of India v. Rahul Springs Pvt. Ltd.* Order of 14th September, 2018 is only an order admitting the petition and

¹ “TDSAT.”



issuing notice to the Petitioner. The Petitioner's grievance with order dated 21st December, 2020 is confined to the ruling on M.A. No. 252/2020, whereby the decision on the issue of limitation raised by the Petitioner has been deferred to the final stage.

3. The Petitioner contends that the issue of limitation is purely a question of law, and since the factual background is not in dispute, the question of limitation ought to have been decided at the preliminary stage on the Petitioner's interlocutory application.

4. The Court is informed that the proceedings before the TDSAT have reached the stage of final arguments. Therefore, the question of limitation, which has been left open for adjudication at final stage, shall now be considered by TDSAT.

5. In view of the above, the Court finds no reason to interfere with the impugned orders. Accordingly, the present petition, along with pending applications, are disposed of.

6. It is clarified that the Court has not expressed any opinion on the merits of the case. All rights and contentions of the parties are left open.

7. Both parties shall be free to cite appropriate case laws on the question of limitation before the TDSAT.

SANJEEV NARULA, J

JULY 24, 2024

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