
(2022) 05 TDSAT CK 0121

In the Telecom Disputes Settlement And Appellate Tribunal

Case No : Telecom Petition No. 24 Of 2022

Pc Care Airway Infratel Pvt Ltd

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 31-05-2022

Acts Referred:

Citation : (2022) 05 TDSAT CK 0121

Hon'ble Judges : D. N. Patel, Chairperson; Subodh Kumar Gupta, Member

Bench : Division Bench

Advocate : Himanshu Dhawan, Dhruv Tamta

Judgement

1. Admit. Issue notice upon respondent. Mr. Dhruv Tamta accepts notice for respondent and is seeking time to get instructions and to file counter affidavit. Time, as prayed for, is granted.
2. Counsel appearing for the petitioner has prayed for an ad-interim relief. He seeks staying the operation, implementation and execution of letter dated 19.5.2022 (Annexure P-8 to the memo of this petition).
3. Petitioner is also seeking a stay against the demand raised by the respondent by letters dated 11.11.2021 and 15.11.2021. (Annexure P-6 and P-4 to the memo of this petition respectively.)
4. Having heard the counsels for both the sides and looking to the facts and circumstances of the case, the petitioner shall deposit Rs. 13 lakhs before the Registrar of this Tribunal. The Registrar of this Tribunal shall accept the aforesaid amount and shall deposit the same by way of a Bank Draft in a Nationalized Bank within a period of 15 days from today in a fixed deposit initially for the period of 12 months.
5. On the condition of deposition of the amount of Rs. 13 lakhs within a period of 15 days, by the petitioner, we hereby stay the operation, implementation and execution of the letter issued by the respondent dated 19.5.2022 (Annexure

P-8), till the next date of hearing.

6. If the petitioner fails to deposit the aforementioned amount within a period of 15 days from today, respondent is entitled to give effect to letter dated 19.5.2022.

7. This matter be listed under the head "for directions" on 4.7.2022.

8. Ld. Counsel appearing for the petitioner submits that the petitioner be permitted to file amended statement of Adjusted Gross Revenue(AGR) before the respondent. Permission as prayed is granted.