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**(2015) 02 SC CK 0035**

**In the Supreme Court Of India**

**Case No :** Special Leave Petition (Civil) Nos. 4572-4573 of 2015 and Special Leave Petition (C) Nos. 4574-4575 of 2015

Prasar Bharati

APPELLANT

Vs

Board of Control for Cricket in India and Others

RESPONDENT

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**Date of Decision :** 20-02-2015

**Acts Referred:**

Cable Television Networks (Regulation) Act, 1995 — Section 8  
Sports Broadcasting Signals (Mandatory Sharing With Prasar Bharati) Act, 2007 — Section 3

**Citation :** (2015) 2 SCALE 579 : (2015) 6 SCC 614

**Hon'ble Judges :** Prafulla C. Pant, J.; Ranjan Gogoi, J.

**Bench :** Division Bench

**Advocate :** Mukul Rohatgi, A.G., Rajeev Sharma and Radhalakshmi R., for the Appellant; P. Chidambaram, Salman Khurshid, Sudhir Chandra, Gopal Jain, Abhishek Manu Singhvi, L. Nageshwar Rao, Pratibha Maninder Singh, Dhruv Mehta, Amit Sibal, Saikrishna Rajagopal, Sidhar

**Final Decision :** Dismissed

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**Judgement**

1. We have heard learned Counsel for the parties.
2. It is our considered view that at this stage we ought not to consider the submissions made on behalf of the parties on the merits of the controversy as the same may have the effect of prejudicing either of the parties.
3. We have considered the suggestions put forward on behalf of the Respondents. The first suggestion is with regard to setting up of an extra/special channel which has been contended by Prasar Bharati to be unviable and technically unfeasible within any reasonable period of time. Though an offer has been made on behalf of Respondent No. 4 to make available its expertise and personnel to aid the Prasar Bharati, we are not inclined to consider the said offer made on behalf of Respondent No. 4. The first suggestion put forward therefore does not merit acceptance.

4. Insofar as the second suggestion i.e. putting up a scroll to the effect that "the channel displaying the sports event (concerned ICC World Cup 2015 matches) is meant only for Doordarshan" has received our consideration. Acceptance of the said suggestion would be understanding the provisions of Section 3 of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007 and Section 8 of the Cable Television Networks (Regulation) Act, 1995 in a particular manner which is not warranted at this stage of the proceedings. We, therefore, decline to accept the said second suggestion advanced on behalf of the Respondents.

5. In the aforesaid circumstances, we are of the view that the interim order passed earlier to the effect that the impugned order dated 04.02.2015 of the High Court shall remain suspended should continue until further orders. We order accordingly. However, in view of the importance of the matter, we direct that the special leave petitions be heard at an early date. List on a Tuesday in the month of July, 2015. The parties may exchange pleadings, if required, in the meantime.