

(2022) 01 TDSAT CK 0048

In the Telecom Disputes Settlement And Appellate Tribunal

Case No : Broadcasting Petition No. 377 Of 2021 With Misc Application 400 Of 2021

Siti Networks Ltd

APPELLANT

Vs

Ridhi Sidhi Cable Tv Network And Anr

RESPONDENT

Date of Decision : 21-01-2022

Acts Referred:

Citation : (2022) 01 TDSAT CK 0048

Hon'ble Judges : Shiva Kirti Singh, Chairperson; Subodh Kumar Gupta, Member

Bench : Division Bench

Advocate : Prakriti Nambiar, Vibhav Srivastava, Sakshi Chamoli

Final Decision : Allowed

Judgement

Heard learned counsel for respondent no. 2/ applicant and learned counsel for the petitioner/ non applicant in respect of M.A. No. 400 of 2021. By

this application respondent no. 2 has sought deletion from the array of respondents. Learned counsel for respondent no. 2 submits that in large number

of cases rival MSOs shown as respondent no. 2 by the petitioner have been deleted. He relies upon order dated 9.11.2021 passed in M.A.No. 76 of

2021 arising in BP No. 107 of 2021. He further points out that respondent no. 2 in this case is not even a MSO but another entity who has a different

agreement with the MSO only for doing some work like collection and maintenance on behalf of MSO. In other words, his stand is that if rival

MSO deserves to be deleted, this respondent no. 2 is on a much better footing as he is not even a rival MSO and is not having license to act as a

MSO.

Following the earlier orders and considering that the facts and submissions are

similar, the prayer for deletion is allowed. M.A. is allowed and disposed of. Amended memo of parties should be filed within three weeks.

Respondent no. 1, as recorded in the last order was served with notice through different modes between 27th September and 4th October 2021.

In spite of ample opportunities, he has avoided to appear. Hence, the prayer for ex parte hearing qua respondent no.1 (now sole respondent) is allowed.

Post the matter before the Court of Registrar on 16.2.2022 for passing necessary orders and directions to make the petition ready for hearing.