
(2023) 12 TDSAT CK 0021

In the Telecom Disputes Settlement And Appellate Tribunal

Case No : Broadcasting Petition No. 459 Of 2021

Sri Sivakamiamman Cable Tv System

APPELLANT

Vs

M/s Bennet.coleman And Company Ltd

RESPONDENT

Date of Decision : 14-12-2023

Acts Referred:

Citation : (2023) 12 TDSAT CK 0021

Hon'ble Judges : Ram Krishna Gautam, Member

Bench : Single Bench

Advocate : Joby P Varghese, Aby P Varghese, Yash Agarwal

Judgement

1. Case taken up. Learned Counsel for both side are present.
2. Perusal of order sheet reveals that issues had not been framed, nor evidences have been led by either side. Rather, listing was after a long gap of time, owing to Covid emergency, and this could not be perceived by either side. Rather many dates for final hearing were fixed and written submissions were also filed. But none cared to go through as to whether issues have been framed, on the basis of pleadings of the parties as well as whether evidences have been led or not.
3. Under above pretext, this procedural lapse is to be cured. Firstly, what is to be adjudged in this civil proceeding, is to be framed, that too on the basis Petition, its reply, then rejoinder filed by the parties. Then after, opportunity is to be given to both side for producing their evidences in support of their pleadings. Only then, the lis may be decided on merit. Hence, the file is being sent to Court of Registrar for making above written exercise and after ripening the file, matter be listed before this Tribunal for hearing of the arguments.
4. Both side Counsel are expected to give their full support and cooperation for expeditious disposal of this Petition, i.e., no unnecessary adjournment be taken by either side, before Court of Registrar.
5. Parties to appear on 23.01.2024 before the Court of Registrar.