
(2023) 10 TDSAT CK 0032

In the Telecom Disputes Settlement And Appellate Tribunal

Case No : Broadcasting Petition No. 52 Of 2022

Star India Pvt Ltd

APPELLANT

Vs

Divya Digital Network Pvt Ltd. And Ors

RESPONDENT

Date of Decision : 18-10-2023

Acts Referred:

Citation : (2023) 10 TDSAT CK 0032

Hon'ble Judges : Dhirubhai Naranbhai Patel, Chairperson; Subodh Kumar Gupta, Member

Bench : Division Bench

Advocate : Himanshu Dhawan, Aparna Arun

Judgement

1. Counsel appearing for the petitioner has argued out the case at length and submitted that all the necessary documents have been supplied much earlier in point of time and, therefore, the notices issued by the respondent dated 8.3.2022 as well as the communication dated 29.8.2022 deserves to be quashed and set aside. The respondent has already encashed the Bank Guarantee of this petitioner and as on today, there is no dues which are payable by the petitioner to the respondent nor the respondent has issued any notice for any payment which is outstanding by the petitioner to be paid to the respondent.
2. It appears that the license of the petitioner which is UL-VNO-ISP-B for the State of Rajasthan has been cancelled on 29.8.2022.
3. It appears that the petitioner has already supplied the documents and again they have supplied the documents in the month of September, 2022 as submitted by the counsel for the petitioner.
4. It further appears that an affidavit has also been filed by the petitioner dated 11.9.2023 to the effect that all the necessary documents for restoration of the license which is UL-VNO-ISP-B for the State of Rajasthan have already been supplied. Similarly, all the necessary documents have also been supplied to the respondent in advance, for the licence UL-ISP-C for the city of Jaipur.

5. Thus, it appears that Controller of Communications Accounts (CCA), Rajasthan has to take a decision.
6. We expect from this CCA, Rajasthan that the decision shall be taken at the earliest and in no case later than next date of hearing because the livelihood of the petitioner is involved in the present Broadcasting Petition. We do not want to stop the payment of salary of CCA at this stage.
7. Counsel appearing for Union of India when asked that how many CCA, Rajasthan are posted within the State of Rajasthan, the counsel for the Union of India pleaded ignorance.
8. This matter is adjourned to 31.10.2023.