
(2021) 08 TDSAT CK 0077

In the Telecom Disputes Settlement And Appellate Tribunal

Case No : Telecom Petition No. 32 Of 2021

Tata Power Company Ltd

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 12-08-2021

Acts Referred:

Citation : (2021) 08 TDSAT CK 0077

Hon'ble Judges : Shiva Kirti Singh, CP

Bench : Single Bench

Advocate : Mansoor Ali Shoket, Nitin Kala, Kunal Singh, Sheniza Farid, Apoorv Kurup

Judgement

Heard the learned counsel for the petitioner and Mr. Kurup, learned counsel for Union of India.

The case of the petitioner and issues have been highlighted in the last order dated 5.8.2021. The respondent has not filed any reply/short reply

although an opportunity was given for the same. In that regard the last order needs to be corrected. In the last but one line of that order the word

petitioner"" shall be read as ""respondent"".

Toady learned counsel for the respondent submits that a limited time period may be made available to the respondent to consider the case of the

petitioner and give a response. He further prays that allowing the petitioner not to renew the Bank Guarantee may put the respondent to great

inconvenience if it is found that there are dues to be realised and the realisation is not barred by law.

Prima facie, this Tribunal is satisfied with the case of the petitioner that it is no longer under legal obligation to renew the Bank Guarantee indefinitely

or for any further period.Â However, for practical reasons the petitioner is directed to get the Bank Guarantee in question renewed for a period of three months only.Â This Tribunal is not inclined to allow the prayer of the respondent for longer renewal.Â It will be open for the respondent to make its stand clear by filing reply within four weeks.Â Rejoinder, if required, may be filed within two weeks thereafter.

Post the matter under the same head on 29.9.2021.

It is made clear that respondent shall not envoke or encash the renewed Bank Guarantee without taking leave of this Tribunal.Â