

SECTION XVII

Listed on:30.7.2013
COURT NO. 9
ITEM NO. 101

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10865, 9110-9111, 9141, 9180, 9236, 9603 OF 2010, 567, 1135, 1136, 15 and 78 OF 2011

Videocon Telecommunications Limited Etc. Appellants

VERSUS

Department of Telecommunications & Anr. Etc. Respondents

OFFICE REPORT

The matters above-mentioned were listed before Hon'ble Court on 6th August, 2012, when the Court was pleased to pass the following order:

''The appeals are admitted.

List the appeals for hearing after service is complete."''

Civil Appeal No. 10865/2010

It is submitted that there are two respondents in the matter. Both the respondents are represented through Mr. A.K. Sharma, Advocate. The service of notice of lodgment of petition of appeal in the matter is complete. Counter affidavit filed on behalf of Respondent No.1. Original Record of the matters has been received and is available in the Registry. Statement of case has not been filed by appellant.

Civil Appeal Nos. 9110-9111/2010

It is submitted that there are four respondents in C.A. No. 9110/2010. Respondent Nos. 1 and 2 are represented through Mr. A.K. Sharma, Advocate. Respondent No. 3 and 4 are also served with Dasti notice but no one has entered appearance so far. Respondent Nos. 1 and 2 in Civil Appeal No. 9111/2010 are also represented through Mr. A.K. Sharma, Advocate. Hence the service of the notice in the matter is complete. Original Record of the matters has been received and is

available in the Registry. It is also submitted that the counsel for the appellant has on 8.11.2010

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deposited in this Registry a sum of Rs. 61,84,68,496.44/- which has been invested in FDR in a Nationalised Bank and the date of its maturity is 28.11.2012. The counsel have also filed Bank Guarantee of the same amount which is valid till the disposal of the Civil Appeal and has been accepted by the learned Secretary General. Statement of case has been filed on behalf of appellant.

Civil Appeal No. 9141/2010

It is submitted that there are two respondents in the matter. Both the respondent are represented through Mr. A.K. Sharma, Advocate. The service of the notice in the matter is complete. Original Record of the matter has been received and available in the Registry. It is also submitted that the counsel for the appellant has on 8.11.2010 deposited in this Registry a sum of Rs. 4,50,94,825/- which has been invested in FDR in a Nationalised Bank and the date of its maturity is 19.11.2012. The counsel has also filed Bank Guarantee of the same amount which is valid till the disposal of the Civil Appeal and has been accepted by the learned Secretary General. Statement of case has not been filed despite Registry notice dated 5.9.2012.

Civil Appeal No. 9180/2010

It is submitted that there are two respondents in the matter. Both the respondents are represented through Mr. A.K. Sharma, Advocate. The service of the notice is complete. Original Record of the matter has been received and is available in the Registry. It is also submitted that the counsel for the appellant has on 8.11.2010 deposited in this Registry a sum of Rs. 91,31,10,742/- which has been invested in FDR in a Nationalised Bank and is date of maturity is

28.11.2011. The counsel has also filed Bank Guarantee of the same amount which is valid till the disposal of the Civil Appeal and has been accepted by the learned Secretary General. Counter affidavit filed on behalf of Respondent No.1. Statement of case has not been filed by appellant.

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Civil Appeal No. 9236/2010

It is submitted that there are two respondents in the matter. Both the respondent are represented through Mr. A.K. Sharma, Advocate. The service of the notice in the matter is complete. Original Record of the matter has been received and is available in the Registry. It is also submitted that the counsel for the appellant has on 8.11.2010 deposited in this Registry a sum of Rs. 31,94,96,482/- which has been invested in FDR in a Nationalised Bank and the date of its maturity is 28.11.2012 and the counsel has also filed Bank Guarantee of the same amount which is valid till the disposal of the Civil Appeal and has been accepted by the learned Secretary General. Statement of case has not been filed by appellant.

Civil Appeal No. 9603/2010

It is submitted that there are two respondents in the matter. Notice of Lodgment of Petition of Appeal was issued to both the respondents through Mr. Arvind Kumar Sharma, Advocate but he had accepted notice on behalf of both the respondents but he has not filed Vakalatnama and appearance so far. Original Record of the matter has been received from Appellate Tribunal, New Delhi and is available in the Registry. Statement of case has been filed on behalf of appellant.

CIVIL APPEAL No.567/2011

It is submitted that there are two respondents in the matter. Certificate of service in respect of both respondents has been received from Tribunal but no one has entered appearance so far. However the respondents are represented through Mr. A.K. Sharma, Advocate in the connected matter. Original Record of the matter has been received and is available in the Registry. Statement of case has not been filed by appellant.

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CIVIL APPEAL No.1135/2011

It is submitted that there are three respondents in the matter. Respondent No.3 is represented through Mr. Sanjay Kapur, Advocate. Notice was issued to Respondent Nos. 1 & 2 through resgistred A.D. post as well as dasti. The counsel for the appellant has on 17.2.2011 filed affidavit of service. The service of the notice in the matter is complete but no one has entered appearance so far. Original Record of the matter has been received and is available in the Registry. Statement of case has not been filed by appellant.

CIVIL APPEAL No.1136/2011

It is submitted that there are three respondents in the matter. Respondent No.3 is represented through Mr. Sanjay Kapur, Advocate. Notice was issued to Respondent Nos. 1 & 2 through resgistred A.D. post as well as dasti. The counsel for the appellant has on 17.2.2011 filed affidavit of service. The service of the notice in the matter is complete but no one has entered appearance so far. Original Record of the matter has been received and is available in the Registry. Statement of case has not been filed by appellant.

CIVIL APPEAL No.15/2011

It is submitted that there are two respondents in the matter. Both the respondents have been served with dasti notice but no appearance has been filed so far. Service of notice in the matter is complete. Original Record of the matter has been received and is

available in the Registry. Statement of case has not been filed by appellant.

CIVIL APPEAL No.78/2011

It is submitted that there are two respondents in the matter. Both the respondents have been served with dasti notice but no appearance has been filed so far. Service of notice in the matter is complete. Original Record of the matter has been received and is available in the Registry. Statement of case has not been filed by appellant.

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The matters above-mentioned are listed before the Hon'ble Court with this Report.

DATED THIS THE 29TH DAY OF JULY, 2013.

Copy to : Mr. Gautam Nayyar, Advocate.
Mr. Sunil Kumar Jain, Advocate
Ms. Bina Gupta, Advocate.
M/s. Suresh A. Shroff & Co., Advocates
Mr. Navin Chawla, Advocate
Mr. A.K. Sharma, Advocate
Mr. P. Ramesh Kumar, Advocate
Mr. E.C. Agarwala, Advocate

ASSISTANT REGISTRAR

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ASSISTANT REGISTRAR