

SLP(C)No. 5204-5205 OF 2004

ITEM No.301

Court No. 1

SECTION XII
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.5204-5205/2004
(From the judgement and order dated 12/03/2004 in WP 5491&
5492 of 2004 of The HIGH COURT OF MADRAS)

TEN SPORTS

Petitioner (s)

VERSUS

CITIZEN CONSUMER & CIVIC ACTION GROUP & ORS

Respondent (s)

(With Appln(s). for exemption from filing ordinary copy/certified copy of the
impugned order and permission to file SLP and permission to file Volume II
and with prayer for interim relief)(For Final Disposal)

Date : 17/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s) Mr. Kapil Sibal, Sr. Adv.
Mr. Akhil Sibal, Mr. P H Parekh, Mr. Amit Sibal,
Mr. S U K Sagar, Ms. Bina Madhavan, Mr. E R Kumar,
Mr. Shailendra Singh, Ms. Pooja Nanekar, Mr. Sanand
Ramakrishnan and Ms. Sweetly Manchanda , Adv.
for M/s. P H Parekh & Co., Adv.

For Respondent (s)
Union of India Mr. Soli J Sorabjee, Attorney General
Mr. Manish Singhvi, Adv.
Mr. P Parmeswaran, Adv.

Prasar Bharati Mr. Kirit N Raval, Solicitor General
Mr. Rajeev Sharma, Adv.
Mr. Vikrant Yadav, Adv.
Mr. Praveen Swarup, Adv.
Mr. Pawan, Adv.

HMA Udyog Pvt.Ltd. Mr. Harish N Salve, Sr. Adv.
Ms. Hemantika Wahi, Adv.

Citizen Consumer & Dr. Rajeev Dhavan, Sr. Adv.
Civic Action Group Mr. Nikhil Nayyar, Adv.,

UPON hearing counsel the Court made the following

ORDER

Since hearing of this case is not possible to be concluded today or by tomorrow and is to be continued thereafter, we direct that this matter be listed for hearing on 15th April, 2004. Under these circumstances, some interim arrangement has to be made regarding telecast of Indo-Pak matches being played in Pakistan.

In compliance of our order dated 15.3.2004, Prasar Bharati has tendered in Court cheque No. 793546 dated 16.3.2004 for Rs.10,00,00,000/- (Rupees ten crores) drawn on State Bank of India, New Delhi in favour of the Registrar General, Supreme Court of India. Let the said amount be invested in a fixed deposit with a nationalised bank for a period of three months. In addition to that, respondent No. 2 Prasar Bharati shall deposit a further sum of Rs.40,00,00,000/- (Rupees forty crores) within a week from today with the Registrar General of this Court and the amount so deposited shall also be invested in a fixed deposit with a nationalised bank for a period of three months. The amount so deposited shall be subject to decision of the case.

What would be the actual losses, if any, which may be suffered by the parties, shall be calculated at the time of next hearing of the matter.

In that view of the matter, the interim order dated 15.3.2004 shall continue hereinafter. However, the respondent No. 2 Prasar Bharati/Doordarshan shall half an hour before the start of the match, during the match and half an hour after the end of the match shall carry the entire signal including all the advertisements, the logo and programming of Ten Sports.

Further, respondent No. 2 Prasar Bharati/Doordarshan is injuncted from switching on the telecast for the Middle East and as regards the Far East also do the same thing if technically feasible.

Further, no court or forum or authority shall entertain any complaint or application relating to the telecast of Indo-Pak matches, till the disposal of this case.

(D.P. WALIA)
COURT MASTER

(JANKI BHATIA)
COURT MASTER