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C.A.No. 3527-3529 OF 2003  
ITEM No.43

Court No. 7

SECTION XIV

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

Civil Appeal Nos.3527-3529/2003

UNION OF INDIA

Appellant (s)

VERSUS

CELLULAR OPERATORS ASSON. OF INDIA & ORS  
( With Appln(s). for ex-Parte stay and office report)

Respondent (s)

Date : 25/04/2003 This Petition was called on for hearing today.

CORAM :HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE H.K. SEMA

For Appellant (s)Mr. Soli J. Sorabjee, AG.

Mr. K.N. Raval, SG.

Mr. Jaideep Gupta, Sr. Adv.

Mr. Sanjay Hegde, Adv.

Mr. T.A. Khan, Adv.

Mr. Satya Mitra, Adv.

Mr. P. Parmeswaran,Adv.

For Respondent (s)Mr. Ram Jethmalani, Sr. Adv.

Mr. P. Chidambaram, Sr. Adv.

Mr. Goolam Vahanvati, Sr. Adv.

Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. R.F. Nariman, Sr. Adv.

Mr. Gopal Jain, Adv.

Mr. Manjul Bajpai, Adv.

Mr. R.N. Karanjawala, Adv.

Ms. Ruby S. Ahuja, Adv.

Ms. Meghna Mishra, Adv.

Ms. Rameeza Hakeem, Adv.

Ms. Jasmine, Adv.

Mrs Manik Karanjawala,Adv.

Ms. Bina Gupta,Adv.

UPON hearing counsel the Court made the following

O R D E R

The Telecom Disputes Settlement and Appellate Tribunal by the impugned order has rejected the claim of privilege of Union of India and directed that the documents in respect of which privilege is claimed be filed before the Tribunal. The Tribunal has also noticed the stand of the Government that it has no objection to place the relevant files for perusal of the Tribunal. The matter requires consideration. Accordingly, we admit the appeals without prejudice to the right of the respondents to make all factual and legal submissions including the objection regarding maintainability of the appeals. Hearing of the appeals is expedited. Parties are granted liberty to mention before the Hon'ble the Chief Justice.

Learned counsel for the respondents submit that in the meanwhile the hearing before the Tribunal on production of record by the appellants before the Tribunal, may go on and till these matters are decided, they will not ask for inspection of the files. It would be open to the Tribunal to go on with the hearing. We only stay the direction of the Tribunal to the extent it requires the Government to file the record in respect of which privilege is claimed. In case the Tribunal so directs the record would be produced before the Tribunal for Tribunal's perusal.

( P.D. Balodi ) ( V.P. Tyagi )  
Court Master Court Master