

ITEM NO.38

COURT NO.12

SECTION XVII-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s). 70934/2025

[Arising out of impugned final judgment and order dated 09-08-2023 in BP No. 391/2016 passed by the Telecom Disputes Settlement and Appellate Tribunal]

ASIANET SATELLITE COMMUNICATIONS LTD

Petitioner(s)

VERSUS

M/S JEEVAN TELECASTING CORPORATION LIMITED

Respondent(s)

IA No. 331246/2025 - CONDONATION OF DELAY IN FILING
IA No. 331245/2025 - GRANT OF INTERIM RELIEF
IA No. 331240/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 09-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :

Ms. Shirin Khajuria, Sr. Adv.
Mr. Mohit D. Ram, AOR
Ms. Nayan Gupta, Adv.
Ms. Swati Tiwari, Adv.
Mr. Gopal, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. On 07.01.2026, following order was
passed:

"1. This appeal is reported to be beyond time by 792 days.

2. The submission of the learned counsel for the appellant is that against the impugned order dated 09.08.2023 both sides have filed a review.

3. Review Application No.7 of 2023 has been filed by the appellant whereas Review Application No.10 of 2023, which has been filed with a delay of 36 days, is by the respondent. Both review applications have been kept pending for more than 2 years. In such circumstances, this appeal has been filed.

4. Having regard to the above, we deem it appropriate to call for a report from Telecom Disputes Settlement & Appellate Tribunal, New Delhi as to why there has been so much delay in deciding the two review applications. Let the report be submitted within three weeks.

5. List this matter on
09.02.2026."

2. Pursuant to the above order, a report has been received from the Telecom Disputes Settlement & Appellate Tribunal ("TDSAT"). In the Report, it is highlighted that delay in disposal of the two review applications was owing to repeated adjournments sought by Counsels representing parties.

3. The learned counsel for the petitioner submits that few adjournments were necessitated on account of hearing through virtual mode as the infrastructure available for virtual hearing is not good.

4. We have also been shown an order directing for hearing of cases through virtual mode only on certain dates.

5. We fail to understand as to why TDSAT is specifying certain dates for hearing through virtual mode only when they have a

regular establishment. The facility for virtual hearing is ordinarily to enable a party to attend the hearing through virtual mode and not for the Tribunal to adopt it as the only mode for hearing particularly when it has a permanent establishment for holding regular hearing.

6. Shri Aljo K. Joseph, learned counsel has appeared for the contesting respondent.

7. Learned counsel for the parties have submitted that they shall not take unnecessary adjournments in the proceedings pending before TDSAT therefore, some time frame may be fixed for TDSAT to conclude the hearing of the aforesaid two review applications.

8. In view of the above, let this matter be listed again in the fourth week of April, 2026.

9. In the meantime, subject to cooperation of the parties, it is expected that the hearing on the two review applications shall be concluded.

10. When the matter is listed next, fresh report shall be submitted by TDSAT about further progress in the review applications.

11. This order shall be communicated to the Chairman, TDSAT within a week from today.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)