

**TELECOM DISPUTES SETTLEMENT & APPELLATE TRIBUNAL  
NEW DELHI**

**DATED 6<sup>TH</sup> MARCH, 2006**

**Petition No.149(C) of 2005**

Shri Sai Vision & Anr. ...Petitioner  
Vs.  
Star India Pvt. Ltd. & Ors. ...Respondents

**BEFORE:**

**HON'BLE MR. JUSTICE N. SANTOSH HEGDE,  
CHAIRPERSON  
LT.GEN.D.P.SEHGAL(RETD.),MEMBER**

For Petitioners : Mr.Prabhat Kumar,Advocate  
For Respondent No.1-Star : Mr.Prateek Jalan with Mr.Ashish Jha,  
Mr.Sarvesh Singh and Ms.Simran Brar,  
Advocates  
**ORDER**

This petition is filed by two petitioners. The Respondent No.1 is represented before this Tribunal while Respondent No.2, though served, has not appeared. Therefore, Respondent No.2 is set ex-parte.

It is submitted that so far as Petitioner No.1 is concerned, there is no more subsisting dispute. Hence, this Petition has become infructuous so far as that Petitioner is concerned.

So far as Petitioner No.2 is concerned who is a cable operator, it is stated that he has been receiving signals from the 1<sup>st</sup> Petitioner who is an MSO of the 1<sup>st</sup> Respondent. It is submitted on behalf of the said respondent that as per the present agreement that Petitioner cannot supply signals to the area in which 2<sup>nd</sup> Petitioner is having its subscribers. Therefore, it is incumbent on the 2<sup>nd</sup> Petitioner to approach 2<sup>nd</sup> Respondent herein who is the authorized agent for the concerned area, seeking signals.

We direct the Petitioner No.2 to approach Respondent No.1 who will in writing nominate an MSO, who in turn will have to give signals to Petitioner No.2 subject to the condition that Petitioner No.2 enters into a subscription agreement with the said MSO. If Petitioner No.2 approaches the said MSO and signs the agreement, the signals will be supplied to the said Petitioner by the said MSO in accordance with the Interconnection Regulations.

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5. This petition stands disposed of with the above directions.

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**(N.Santosh Hegde)**  
**Chairperson**

.....  
**(D.P.Sehgal)**  
**Member**