

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

DATED 12th APRIL, 2007

PETITION NO. 227(C) OF 2006

National Cable Network
Sirhindi Gate, Malerkotla
District Sangrur, Punjab
Through its Manager Mr. Gopal Krishan

...Petitioner

Vs.

1. SET Discovery Pvt. Ltd.
2nd Floor, 9/1B, Secular House,
Qutab Institutional Area
Aruna Asaf Ali Marg, New Delhi-110067
2. Zee Turner Ltd.
5th Floor, Radisson Plaza
NH-8, New Delhi-110 037
3. Alliance Cable @ Malwa Cable
Back side, Stadium Ground
Near Income Tax Office
Malerkotla, District-Sangrur,
Punjab-148023

...Respondents

BEFORE:

**HON'BLE MR. JUSTICE ARUN KUMAR,
CHAIRPERSON**

LT.GEN.D.P.SEHGAL(RETD.),MEMBER

ORDER

In this Petition, it is stated by the petitioner that the grievance against Respondent No.1 had been resolved amicably and the same had been withdrawn by the petitioner. However, the petitioner has a case against Respondents No.2 and 3. It is a case of the petitioner that despite its having cleared the outstanding amounts, the Respondents No. 2 and 3 are not carrying out their part of the deal of switching on the channels

being broadcast by them. Respondent No. 2 is a broadcaster and Respondent No. 3 is a rival cable TV network. The petitioner was earlier operating under the name of Taqi Cable Network. Subsequently, it re-christened itself as National Cable Network. The petitioner has not been able to produce any agreement with Respondent No. 2 entered into by it for supply of signals. The Respondent No. 2 stated that the petitioner had changed its name from Taqi to National Cable Network and had joined one Malwa Cable Network in the year 2005. Mr. Maninder Singh, learned Counsel for the Respondent No. 2 stated that they had an agreement with Malwa Cable Network and no agreement was ever executed between the petitioner and them. The petitioner was taking signals from Malwa Cable and it proved bonafide about its statement by placing two agreements as at Annexures R-1 and R-2 respectively with its reply affidavit – one, by Taqi Cable Network dated 29.10.2004 and the second, of National Cable Network dated 8.7.2005 both with Malwa Cable Network. The Respondent No.2's contention is that it had entered into an agreement on 1.5.2006 with Malwa Cable Network and the petitioner had joined Malwa Cable Network and was taking feed from the decoders of Malwa Cable Network. It further contended that the petitioner had stolen the decoders of Malwa Cable Network which was reported by Malwa Cable Network to Respondent No. 2 and consequently the signals were switched off. The Respondent No. 2 further stated that in view of this, since there was no agreement with the petitioner and also since petitioner is wanting to activate the signals on Malwa Networks' decoders allegedly with him now, the same is not justified.

From the documents on record and also from the arguments we find that the petitioner has had no agreement with the Respondent No. 2 and therefore its prayer for re-activation of signals from Respondent No.2 is not justified.

The petition is dismissed.

.....**J**
(Arun Kumar)

Chairperson

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(D.P.Sehgal)
Member