

TELECOM DISPUTES SETTLEMENT & APPELLATE TRIBUNAL

NEW DELHI

Dated 7th November, 2013

E.A. No. 42 of 2012

IN

Petition No. 267 (C) of 2010

SCOD 18 Networking Pvt. Ltd. ... Petitioner

Vs.

United Cable Services ... Respondent

BEFORE:

HON'BLE MR. KULDIP SINGH, MEMBER

For Petitioner(Decree Holder) : Mr. Tejveer Singh Bhatia, Advocate

Respondent (Judgement Debtor) : None

ORDER

The present Execution Application has been filed by the petitioner/Decree holder for a recovery of an amount of Rs.44,32,460/- along with interest being the outstanding amount due from the Respondent/Judgment Debtor as per the judgment of the Tribunal and as the Judgment Debtor has failed to pay the outstanding dues to the petitioner.

2. The petitioner / Decree Holder is a Multi Service Operator in the town of Mumbai including Kalyan (East) and Kalyan (West) and the Respondent/Judgment Debtor is a local cable operator. Vide judgment of the Tribunal dated 11.7.2011, the petition of the Decree Holder was allowed for recovery of subscription charges from the Respondent / Judgment Debtor and a decree for an amount of Rs.44,32,460/- alongwith interest amounting to Rs.4,10,944/- @ 9 per cent per annum from 1.7.2010 to 11.7.2011 and further to the date of the realization of the said sum was passed.

3. The present E.A. has been filed praying, inter-alia, for the attachment of the equipment/properties of the respondent, which is cited below:-

“Property bearing Nos.

*(a) C02201050100
Munawar Haji Ahmed Majid
Shop No. 103, Golden Plaza
Old Fish Market, Kalyan West
Mumbai – 421301.*

*(b) C02201047500
Munawar Haji Ahmed Majid & Mehmooda Munawar Majid
House No. 8/1 Lane No.45
Old Fish Market, Kalyan West
Mumbai – 421301.*

*(c) C02201047800
Mehmooda Munawar Majid
House No.8/2, Lane No.45
Old Fish Market, Kalyan West
Mumbai – 421301.*

4. Despite notices and the opportunities given to the Respondent /Judgment Debtor on many occasions, nobody appeared and, therefore, this E.A was heard ex-parte.

5. Let the decree be executed and an Order of Attachment be issued for the properties listed above at para 3. The learned District Judge, Mumbai is requested to effect the said order of attachment in terms of the provisions of Civil Code of Procedure. Let a copy of this be sent to the Learned District Judge.

6. Put up on 19.12.2013 for Directions.

.....
(Kuldip Singh)
Member

Hkc/