

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

Civil Appeal No(s). 6328-6399/2015

UNION OF INDIA

Appellant(s)

VERSUS

ASSOCIATION OF UNIFIED TELECOM SERVICE
PROVIDERS OF INDIA & ORS.

Respondent(s)

(HEARD BY HON'BLE ARUN MISHRA, HON'BLE S. ABDUL NAZEER AND HON'BLE
M.R. SHAH, JJ.)

IA No. 217/2016 - AMENDMENT IN CAUSE TITLE
IA No. 145/2016 - Impleadment
IA No. 73/2015 - STAY APPLICATION
IA No. 1/2015 - STAY APPLICATION)

WITH

C.A. No. 6183-6255/2015 (XVII)
(FOR EARLY HEARING APPLICATION ON IA 222/2016
IA No. 222/2016 - EARLY HEARING APPLICATION)
C.A. No. 5832-5852/2015 (XVII)

C.A. No. 5909/2015 (XVII)
(FOR EX-PARTE STAY ON IA 1/2015
IA No. 1/2015 - EX-PARTE STAY)
C.A. No. 6009/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
IA No. 1/2015 - STAY APPLICATION)
C.A. No. 5996/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR Amendment in Cause Title ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
IA No. 1/2015 - STAY APPLICATION)

C.A. No. 5957/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR Amendment in Cause Title ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
IA No. 1/2015 - STAY APPLICATION)

C.A. No. 5997/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR Amendment in Cause Title ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
IA No. 1/2015 - STAY APPLICATION)

C.A. No. 5998/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE

IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 6011/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 6002/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 6010/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 6012/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 8496-8505/2015 (XVII)
 (FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 21/2015
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 31/2015
 IA No. 21/2015 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 31/2015 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 8493-8495/2015 (XVII)
 (FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 1/2015
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 7/2015
 IA No. 7/2015 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 5929/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 5911/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 5882/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 3/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY
 IA No. 3/2016 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 5931/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR Amendment in Cause Title ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)

C.A. No. 5934/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 5930/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR Amendment in Cause Title ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 6888-6895/2015 (XVII)
 (FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 9/2015
 FOR EX-PARTE STAY ON IA 17/2015
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 25/2015
 IA No. 17/2015 - EX-PARTE STAY
 IA No. 9/2015 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 25/2015 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 6003/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 6004/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 8506-8530/2015 (XVII)
 (FOR STAY APPLICATION ON IA 26/2015
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 51/2015
 IA No. 51/2015 - PERMISSION TO FILE ANNEXURES
 IA No. 26/2015 - STAY APPLICATION)
 C.A. No. 8009-8017/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR STAY APPLICATION ON IA 10/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 19/2016
 IA No. 19/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 10/2015 - STAY APPLICATION
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 344/2016 (XVII)
 (FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 2/2016
 FOR STAY APPLICATION ON IA 3/2016
 IA No. 2/2016 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 3/2016 - STAY APPLICATION)
 C.A. No. 498/2016 (XVII)
 (FOR STAY APPLICATION ON IA 2/2016
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 3/2016
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 4/2016
 IA No. 3/2016 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 4/2016 - PERMISSION TO FILE ANNEXURES
 IA No. 2/2016 - STAY APPLICATION)
 C.A. No. 497/2016 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 2/2016
 FOR [PERMISSION TO FILE ANNEXURES] ON IA 3/2016
 IA No. 2/2016 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 3/2016 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 493/2016 (XVII)
 (FOR STAY APPLICATION ON IA 2/2016
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 3/2016

 FOR [PERMISSION TO FILE ANNEXURES] ON IA 4/2016
 IA No. 3/2016 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 4/2016 - PERMISSION TO FILE ANNEXURES
 IA No. 2/2016 - STAY APPLICATION)
 C.A. No. 14624/2015 (XVII)
 (FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 2/2015
 FOR STAY APPLICATION ON IA 3/2015
 IA No. 2/2015 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
 IA No. 3/2015 - STAY APPLICATION)
 C.A. No. 13550/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13705-13711/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 8/2016
 IA No. 8/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13590/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13587/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13586/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13585/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13591/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE

IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13538/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13588/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13593/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13595-13596/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 3/2016
 IA No. 3/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13584/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13574/2015 (XVII)
 (FOR EX-PARTE STAY ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - EX-PARTE STAY)
 C.A. No. 13681/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13581-13582/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13592/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13699/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
 IA No. 1/2015 - STAY APPLICATION)
 C.A. No. 13697/2015 (XVII)
 (FOR STAY APPLICATION ON IA 1/2015
 FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
 IA No. 2/2016 - AMENDMENT IN CAUSE TITLE

IA No. 1/2015 - STAY APPLICATION)
C.A. No. 13698/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
IA No. 1/2015 - STAY APPLICATION)
C.A. No. 13680/2015 (XVII)
(FOR STAY APPLICATION ON IA 1/2015
FOR AMENDMENT IN CAUSE TITLE ON IA 2/2016
IA No. 2/2016 - AMENDMENT IN CAUSE TITLE
IA No. 1/2015 - STAY APPLICATION)
C.A. No. 6022-6044/2016 (XVII)
(FOR STAY APPLICATION ON IA 47/2016
FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 70/2016
FOR AMENDMENT IN CAUSE TITLE ON IA 93/2016
IA No. 93/2016 - AMENDMENT IN CAUSE TITLE
IA No. 70/2016 - PERMISSION TO FILE LENGTHY LIST OF DATES
IA No. 47/2016 - STAY APPLICATION)
SLP(C) No. 20219/2016 (III)

C.A. No. 8646-8648/2018 (XVII)
(FOR ADMISSION and I.R. and IA No.114175/2018-CONDONATION OF DELAY
IN FILING and IA No.114180/2018-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.114178/2018-STAY APPLICATION)

Date : 24-10-2019 These matters were called on for judgment today.

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Mr. Biju P. Raman, Adv.
Mr. Jagjeet Sahani, Adv.
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Mr. Dhruv Tamta, Adv.
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Mr. Harsh Kaushik, AOR
Mr. Rahul Narayan, AOR
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Ms. Surabhi Limaye, Adv.
Ms. Vaishali Kalera, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Tarun Gulati, Sr. Adv.
Mr. Kavin Gulati, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Ms. Shally Bhasin, Adv.
Ms. Sayaree Basu Mallik, Adv.
Ms. Surabhi Limaye, Adv.
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Mr. Biju P. Raman, Adv.
Mr. Vishnu Sharma, Adv.
Mr. Tushar Bhardwaj, Adv.
Mr. Aabhas Kshetrapal, Adv.
Ms. Kritika Bhardwaj, Adv.
Mr. Hiten Sampath, Adv.
Mr. Bhavuk Agrawal, Adv.
Mr. Sylona Mohapatra, Adv.
Mr. Nikhil Ramdev, Adv.

Mr. Birjesh Kumar sinha, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Ms. Meetali Patolia, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Swetank Shantanu, AOR
Mr. Pratap Shanker, Adv.

Mr. Shilpi Shrivastava, Adv.
Mr. Ravi S. S. Chouhan, Adv.

Mr. Rameshwar Prasad Goyal, AOR
Mr. Devashish Bharuka, AOR

Ms. Pratyusha Priyadarshini, Adv.
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Mr. Mansoor Ali Shoket, Adv.
Mr. Nitin Kala, Adv.
Mr. Kunal Sharma, Adv.
Ms. Vibha Dhawan, Adv.
Ms. Alvia Ahmed, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.

Mr. Rohit Mahajan, Adv.
Mr. Rohit Tripathy, Adv.
Mr. Pranav V.K., Adv.
M/S. Dua Associates, AOR

Mr. Rohit Choudhary, Adv.
Mr. B.R.Menon, Adv.
Ms. Preeti Khewani, Adv.
Ms. B. Vijayalakshmi Menon, AOR

Mr. Pankaj Pandey, Adv.

Hon'ble Mr. Justice Arun Mishra pronounced the Judgment of the Bench comprising His Lordship, Hon'ble Mr. Justice S. Abdul Nazeer and Hon'ble Mr. Justice M.R. Shah.

Leave granted in SLP (C) No. 20219 of 2016.

Applications for amendment in cause title are allowed, in terms of the prayer(s) made.

Appeals of licensees are dismissed and filed by DOT are allowed in terms of the signed reportable judgment.

We give three months' time to deposit the amount, which is due and compliance be reported.

Pending applications, if any, are disposed of.

(POOJA CHOPRA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER

(Signed Reportable Judgment is placed on the file)