

SUPREME COURT OF INDIA

Zee Turner Limited & Ors.

Vs.

Tata Sky Limited

C.A.No.2374 of 2007

(Dr.Arijit Pasayat and S.H.Kapadia,JJ.)

23.01.2008

ORDER

Dr. Arijit Pasayat & S.H. Kapadia Civil Appeal No. 2374 of 2007 Zee Turner Ltd.appellant herein has challenged the decision of TDSAT dated 31.3.2007 vide the present Civil Appeal No. 2374 of 2007.

1. The main contention in the Civil Appeal is that under the earlier decision of TDSAT dated 14.7.2006, Tata Sky Ltd.- respondent herein was obliged to take all 32 channels of the appellant herein as One Product for its DTH Platform at 50% of rates of the Bouquets applicable to Cable TV Platform.

2. During the pendency of the Civil Appeal, TRAI has now framed and notified the Telecommunication (Broadcasting and Cable Services) Interconnection (Fourth Amendment) Regulation, 2007 whereby even Broadcaster (including appellant) has now mandatorily to provide and offer channels on a-la-carte basis, in addition to Bouquets.

3. In view of the said Regulations 2007, nothing survives in Civil Appeal No. 2374 of 2007 because both sides will have to enter into Arrangement in terms of the said Regulations. Accordingly I.A. No. 4 of 2007 moved by the Applicant/Respondent is allowed and the said Civil Appeal No. 2374 of 2007 stands disposed of with no order as to costs.

4. Civil Appeal No. 5038 of 2007 Nothing survives in this civil appeal in view of the order passed in Civil Appeal No. 2374 of 2007 filed by Zee Turner Ltd.. Accordingly, Civil Appeal No. 5038 of 2007 also stands disposed of with no order as to costs.