

**SUPREME COURT OF INDIA**

Bharat Sanchar Nigam Ltd

Vs.

Bharti Televentures Ltd

C.A.No.4961 of 2007

(H.K. Sema and Markandey Katju JJ.)

01.05.2008

**ORDER**

1. Heard the parties.
2. The only question on which we allow this appeal and remand the case to TDSAT is that the Tribunal considered only the undertaking by the respondent herein dated 25.12.2001 in the impugned judgment. However, the Tribunal failed to consider the undertaking by the respondent dated 24.12.2001. On this sole ground we are setting aside the order impugned passed by the Tribunal. The matter is remanded to the Tribunal to consider both the undertakings i.e. 24/12/2001 and 25/12/2001 and pass an appropriate order as deem fit and proper in accordance with law.
3. All contentions and arguments of both the parties are open before the Tribunal.