

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

Dated: 17/08/2018

CYBER APPEAL/5/2014

Petitioner Name: VODAFONE INDIA LIMITED

Versus

Respondent Name: MR ROHIT MAHESHWARI AND OTHERS

BEFORE

HON'BLE MR. A.K. BHARGAVA ,MEMBER

For Applicants/Appellants/

Petitioners Advocate

MR.SARANSH JAIN, ADVOCATE MR.MEKA
VENKATA RAMAKRISHNA

For Respondents Advocate

NONE

Amicus Curiae:

For Impleader(Pet.):

For Impleader(Res.):

ORDER

Vide our order dated 3.8.2018, it was made clear that we shall consider to issue notice only if the appellant agrees to deposit a sum of Rs. 50,000/- which may go as costs to the other side in case the appeal fails. If the appellant is not prepared to deposit such costs, then we shall not entertain the appeal and, if so advised, the appellant may withdraw this appeal by the next date.

Nobody appears from the respondent side.

Today, learned counsel for the petitioner, on instructions, submits that instead of depositing the sum as required, he would prefer to withdraw the appeal with the clarification that this may not be seen as a precedence and the withdrawal should be without prejudice to the rights and contentions of the petitioner. Learned counsel for the petitioner also submits that the amount of fine of Rs. 10,000/-, had already been deposited vide demand draft dated 25.7.2018 and such deposit was subject to the outcome of this appeal.

In view of this, we permit withdrawal of appeal and also clarify that the such withdrawal will be without prejudice to the petitioner's rights and contentions of the petitioner. The appeal stands disposed of accordingly.

**(A.K. BHARGAVA)
MEMBER**