NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI Competition Appeal (AT) No. 25 of 2020

IN THE MATTER OF:

Next Radio Ltd. ...Appellant

Versus

Competition Commission of India & Ors.

...Respondents

Present:

For Appellant: Mr. Abhishek Malhotra and Ms. Atmaja Tripathi,

Advocates.

For Respondents:

ORDER (Through Virtual Mode)

O3.12.2020: Having regard to the ground projected and the fact that the certified copy of the impugned order has been made available to the Appellant on 4th February, 2020 and also taking into consideration the fact that lockdown in the wake of outbreak of COVID 10 was imposed on 23rd March, 2020 and subsequently in suo-moto proceedings this Appellate Tribunal has suspended limitation, we find that the appeal has been preferred within time. Delay, if any, is condoned. I.A. No. 54 of 2020 stands disposed off.

Appellant is aggrieved of finding of the Competition Commission of India (Commission) in terms of impugned order dated 30th January, 2020 declining to

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take action on the ground that contravention of Section 4 of the Competition Act,

2002 is not made out. It is submitted that the Commission has overlooked the

Investigation Report submitted by the Director General on vital issue in regard

to abuse of dominant position in the relevant market.

Issue notice upon Respondents. Appellant to provide mobile Nos./e-mail

address of the Respondents. Notice be issued through e-mail or any other

available mode. Requisites along with process fee be filed within three days.

List the matter 'for admission (after notice)' on 22nd January, 2021.

[Justice Bansi Lal Bhat] Acting Chairperson

[Justice Anant Bijay Singh]
Member (Judicial)

am/gc