

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Competition Appeal (AT) No. 23 of 2020

In the matter of:

Rajeev Mishra

....Appellant

Vs.

Competition Commission of India & Ors.

....Respondents

Present:

**Appellant: Mr. T. Sundar Ramanathan and Mr. Ishaan
 Chakrabarti, Advocates.**

ORDER

(Through Virtual Mode)

20.11.2020: On oral request of Mr. T. Sundar Ramanathan, Advocate representing the Appellant for condonation of delay, we take notice of the fact that the impugned order having been passed on 12th March, 2020 followed by imposition of lockdown on 23rd March, 2020 in the wake of outbreak of COVID-19 coupled with the fact that in *suo moto* jurisdiction the limitation has been suspended, delay in preferring the appeal is hereby condoned.

The Appellant, in terms of the impugned order, has been found guilty of contravention of the provisions of Section 3(3) (b) read with Section 3(1) of the Competition Act, 2002. Apart from a direction to cease and desist in future from indulging in practices found to be in contravention of the provisions of Section 3 of the Competition Act, 2002, no penalty has been imposed on the Appellant.

Contd/-.....

Learned counsel for the Appellant submits that the findings in regard to contravention of Section 3(3) (b) of the Competition Act, 2002 is erroneous and cannot be sustained.

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.

At this stage, learned counsel for the Appellant submits that the Competition Appeal (AT) No. 14 of 2020 and Competition Appeal (AT) No. 16 of 2020 have been preferred against the impugned order by other aggrieved persons. Appellant is informed that one more Competition Appeal (AT) No. 21 of 2020 has been preferred against the same impugned order which is listed for 17th December, 2020.

Let the instant appeal be also listed on 17th December, 2020.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Anant Bijay Singh]
Member (Judicial)

[Shreesha Merla]
Member (Technical)

AR/g