

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL No. 10216 OF 2016**

**BHARAT SANCHAR NIGAM LTD.
APPELLANT**

VERSUS

RELIANCE COMMUNICATION LTD.

RESPONDENT

ORDER

1. The present appeal is arising out of an order dated 2nd June, 2016 passed by the Telecom Disputes Settlement & Appellate Tribunal, New Delhi in M.A. No. 17 of 2016 in Telecom Petition No. 549 of 2015.
2. Learned counsel appearing for the appellant – Bharat Sanchar Nigam Ltd.¹ at the outset submits that respondent – Reliance Communication Ltd.² has undergone insolvency and in the similar circumstances, this Court *vide* order dated 28th August, 2025 passed in Civil Appeal No. 8510 of 2012 dismissed an identical appeal. Paragraphs 6 and 7 of the order passed by a coordinate Bench of this Court reads as under:

“6. We take notice of the fact that the respondent (Reliance Communications Ltd.) has gone under

1 BSNL
2 RCL

insolvency. That could be the reason why no one has appeared on behalf of the respondent to oppose this appeal. We enquired from the learned counsel appearing for the appellant as to whether any useful purpose would be served if we adjudicate this appeal on merits. The learned counsel very fairly submitted that since the respondent (Reliance Communications Ltd.) has gone under insolvency, no useful purpose would be served to adjudicate this appeal on merits. However, he urged that the question of law, if any, involved in the present appeal, be kept open.

7. In view of the aforesaid, this appeal is, accordingly, dismissed leaving the question of law, if any, open to be raised in an appropriate proceedings. However, if the appellant (BSNL) has any other legal remedy available in law for the recovery of the amount, it shall be open for it to avail such remedy. In future, if BSNL avails any appropriate legal remedy before any other appropriate authority in accordance with law, the authority concerned shall deal with the issues on their own merits.”

3. In view of the aforesaid order passed by a coordinate Bench of this Court in similar circumstances, the appeal is, accordingly, dismissed leaving the question of law, if any, open to be raised in an appropriate proceeding.

4. It is further clarified that in case the BSNL has any other legal remedy available in law for recovery of the amount, it shall be open for it to avail such remedy.

5. In future, if BSNL avails any other legal remedy before any other appropriate authority in accordance with law, the authority concerned shall deal with the issues on their own merits.

6. Pending interlocutory application(s), if any, shall stand disposed of.

.....J.
[SATISH CHANDRA SHARMA]

.....J.
[SANJEEV SACHDEVA]

**New Delhi;
June 10, 2026.**

ITEM NO.116

COURT NO.7

SECTION XVII-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 10216/2016

BHARAT SANCHAR NIGAM LTD.

Appellant(s)

VERSUS

RELIANCE COMMUNICATION LTD.

Respondent(s)

Date : 10-06-2026 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
[PARTIAL COURT WORKING DAYS BENCH]

For Appellant(s) : Mr. Tejveer Singh Bhatia, Adv.
Mr. Mohit Paul, AOR
Mr. Rohit, Adv.
Mr. Krishnan Kutty, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed order placed on the file.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)