

# Union Of India vs Vodafone Group Plc & Anr on 17 November, 2020

**Author: Rajiv Sahai Endlaw**

**Bench: Rajiv Sahai Endlaw, Asha Menon**

\$~VC-S- 7 & 8

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RFA (OS) 38 /2018, C.M. Appl. Nos.23348/2018 (for stay)  
49319/2019 (of the respondents for withdrawal of oral statement),  
519/2020 (for condonation of 13 days in filing reply to C.M. No.  
49319/2019) & 14469/2020 (for directions)

UNION OF INDIA ..... Appellant

Versus

VODAFONE GROUP PLC & ANR. .... Respondents

+ RFA (OS) 45 /2018

VODAFONE GROUP PLC UNITED KINGDOM & ANR.

..... Appellants

Versus

UNION OF INDIA ..... Respondent

Through: Mr. Chetan Sharma, ASG, Mr. Kirtiman Singh, CGSC,  
Mr. Ashutosh Kumar, Mr. Prateek Dhanda, Mr. Waize  
Ali Noor, Mr. Rohan Anand, Mr. Anish Roy, Mr. Amit  
Gupta and Mr. R.V. Prabhat, Advocates for Union of  
India (item no 7 and 8)  
Mr. Harish Salve, Senior Advocate, Ms. Anuradha Dutt,  
Ms. Fereshte Sethna, Ms. Ekta Kapil, Ms. Gayatri  
Goswami, Mr. Haaris, Fazili, Mr. Kunal Dutt and Mr.  
Shobhit Ahuja, Advocates for Respondent no. 1 and 2  
(item no. 7) and appellant (item no. 8)

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% 17.11.2020

1. The ASG has stated that the instructions, as recorded in the order dated 7th October, 2020, are still awaited as the decision is to be taken by the Inter Ministerial Committee of the Cabinet which has not met as yet.

2. The Senior Counsel for Vodafone, under instructions, states that the respondents shall proceed with the arbitration commenced under the India-U.K. BIPA only if the Award already published

under the India-Netherlands BIPA is set aside.

3. We are of the view that recording the statement aforesaid on behalf of Vodafone, the appeal can be disposed of.

4. The ASG seeks time to consider.

5. On request, list on 8th December, 2020.

RAJIV SAHAI ENDLAW, J ASHA MENON, J NOVEMBER 17, 2020 akanshasingh