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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 16060/2022 & CM APPL. 50121/2022, CM APPL.
50123/2022
WIND INDEPENDENT POWER PRODUCERS
ASSOCIATION & ORS.

.....Petitioners
Through: Mr Girik Bhalla, Mr Damodar
Solanki, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent
Through: Mr P S Singh, CGSC, Mr Mrityunjay
Kumar Singh, Ms Annu Singh, Ms
Shivangi, Mr Praneet Kumar,
Advocates for UOI.
Mr T V S Raghavendra Srayas and
Mr Siddharth Vasudev, Advocates for
CERC.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

08.01.2025

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1. The petitioners have filed the present petition, *inter alia*, praying as
under:-

“(a) Issue a writ of certiorari quashing Regulation 7 and 8(1) of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2022, to the extent challenged herein, as being violative of Articles 14, 19(1)(g) and 300A of the Constitution of India and the Electricity Act, 2003; and / or”



2. The learned counsel appearing for the Central Electricity Regulatory Commission (CERC) submits that the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2022 (hereafter *2022 Regulations*) has been replaced by the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2024. Thus, the 2022 Regulations are no longer in operation. He further submits that Regulations 7 & 8 of the 2022 Regulations, which are impugned in the present petition, were not implemented in view of the order dated 06.02.2023 passed by the CERC whereby the said regulations were relaxed. Thus, no charges were collected in terms of the Regulations 7 & 8 of the 2022 Regulations, in terms of the order dated 06.02.2023.

3. In view of the above, *prima facie*, the present petition does not survive. However, the learned counsel appearing for the petitioners submits that the main counsel, who has to argue the matter is not available and seeks an adjournment.

4. At his request, list on 28.01.2025.

VIBHU BAKHRU, ACJ

TUSHAR RAO GEDELA, J

JANUARY 08, 2025

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[Click here to check corrigendum, if any](#)