

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 17308/2019

Lohia Developers (India) Pvt. Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

D.B. Civil Writ Petition No. 5989/2019

Indian Oil Corporation Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 5997/2019

Indian Oil Corporation Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 6041/2019

Indian Oil Corporation Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 15097/2019

Hil Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 15139/2019

Rajasthan Patrika Pvt. Ltd

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16152/2019

J.k. Lakshmi Cement Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 16354/2019

Saraf Export Palace

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16698/2019

Bg Wind Power Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16714/2019

M/s Tithal Trading Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16743/2019

M/s Snca Energy And Infrastructure Pvt. Ltd

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16755/2019

M/s Snca Energy And Infrastructure Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16756/2019

M/s Tithal Trading Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16776/2019

M/s Snca Energy And Infrastructure Pvt. Ltd

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16784/2019

M/s Naveen Distributors

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16785/2019

M/s Naveen Distributors

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16903/2019

Aperion Renewable Energy Private Limited, Company

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16923/2019

M/s Sanjiv Prakashan ,

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16925/2019

Sunstone Engineering Industries Private Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16930/2019

Kanoria Chemicals And Industries Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16935/2019
Chandram Solar Power Pvt Ltd

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16938/2019
Bharat Power Inc A Partnership Firm

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 16949/2019
Murarka Suitings (P) Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17027/2019
Jivraj Tea Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17028/2019
Shri Giriraj Energy Pvt. Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17067/2019
Autobat Batteries Private Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17081/2019
Sunstone Engineering Industries Private Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17082/2019

Royal Electricals A Partnership Firm

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17155/2019

Raj. State Mines And Minerals Ltd.

-----Petitioner

Versus

Jodhpur Vidyut Vitran Nigam Ltd.

-----Respondent

D.B. Civil Writ Petition No. 17235/2019

Sir Kasturchand Daga Solar Power Inc

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17311/2019

Roha Dyechem Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17361/2019

Eros For Sanitarywares

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17367/2019

Kshitij Synergy Corp. Pvt. Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17370/2019

National Enterprises

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17430/2019

M/s Giriraj Enterprises

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17434/2019

M/s Giriraj Enterprises

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17435/2019

Jai Bharat Gum And Chemical Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17444/2019

M/s Dhariwal Industries Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17445/2019

Dindayal Commodities Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17453/2019

M/s Chartered Gold Financial Services Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17454/2019

M/s Giriraj Enterprises

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17455/2019

Jainsons (India) Industries

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17458/2019

M/s Bhansali International

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17459/2019

Sunita Minechem Industries

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17460/2019

M/s D.j. Malpani

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17462/2019

Rajasthan Gum Pvt. Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17463/2019

M/s Ghodawat Textile

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17469/2019

Ghodawat Reality Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17470/2019

Shri Om Agro Products

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17471/2019

K.c. India Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17476/2019

Jainsons Agrochem Industries

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17479/2019

Solar Power Made Easy

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17480/2019

Shree Ram Industries

-----Petitioner

Versus

Rajasthan Electiricty Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17482/2019

Neelkanth Gum And Chemicals

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17484/2019

Nolaram Dulichand Dal Mills

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17486/2019

Ridhu Solar

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17487/2019

Nahar Colours And Coating Pvt Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17489/2019

Solar Energy Made Easy

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17490/2019

K.c. India Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17498/2019

Lahoti Overseas Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17499/2019

Oswal Woollen Mills Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17505/2019
Hindustan Petroleum Corporation Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17536/2019
Orient Glazes Pvt Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17552/2019
Fluidcon Engineers

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17564/2019
M/s Cepco Industries Pvt. Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17565/2019
Ivy Ecoenergy India Pvt. Limited

-----Petitioner

Versus

Jodhpur Vidyut Vitran Nigam Limited

-----Respondent

D.B. Civil Writ Petition No. 17617/2019
Darshan Roadlines Pvt. Ltd.

-----Petitioner

Versus

Jodhpur Vidyut Vitran Nigam Ltd.

-----Respondent

D.B. Civil Writ Petition No. 17674/2019
Tirupati Microtech Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17675/2019

Rh Prasad And Company Pvt. Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17676/2019

M/s Tect Power Pvt. Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17677/2019

M/s Laxmi Publications (P) Ltd.

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17735/2019

Blow Packaging (India) Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17746/2019

U.p. Ceramics And Potteries Private Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17815/2019

M/s Sol Energy

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17817/2019

Blow Packaging (India) Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17818/2019

Tirupati Microtech Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17819/2019

Sharma Industries

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17820/2019

Rays Power Experts Private Limited

-----Petitioner

Versus

Rajasthan Electricity Regulatory Commission

-----Respondent

D.B. Civil Writ Petition No. 17899/2019

Aman Home Appliances Pvt Ltd

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17900/2019

Viney Corporation Pvt Ltd

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17901/2019

Manidhari Gum And Chemicals

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 17907/2019

Viney Corporation (P) Limited

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 18521/2019

M/s Oil India Limited

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 18795/2019

Yogesh Agencies And Investments Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 18796/2019

M/s Raj Overseas

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

D.B. Civil Writ Petition No. 19395/2019

Agarwal Trading Company

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. S.Kasliwal, Sr. Advocate assisted
by Ms. Suruchi Kasliwal,
Mr. Shiven Gupta,
Mr. Rajendra Prasad, Sr. Counsel
assisted by Mr. Karan Tibrewal,
Mr. Prateek Mathur,
Mr. Karan Audichya
Mr. R.N. Mathur, Sr. Counsel assisted
by Ms. Suruchi Kasliwal,
Mr. Dhanishtha Mukhiya,
Mr. Abhas Chowdhary,
Mr. Sakya Chowdhary
Mr. Ravi Chirania with
Mr. Shahrukh Khan Panwar
Ms. Mandakini Ghosh,
Mr. Punit Singhvi,
Mr. Dinesh Kumar Garg,

Mr. B.C. Chirania
Mr. Pashupati Nath Bhandari,
Mr. Sandeep Chilana,
Mr. Priyojeet Chatterjee,
Mr. Shobhit Tiwari
Ms. Alisha Chopra on behalf of
Mr. Sakya Choudhay with
Mr. Sandeep Taneja,
For Respondent(s) : Mr. M.S. Singhvi, Advocate General
assisted by Mr. Siddhanth Jain,
Mr. Sheetanshu Sharma
Mr. R.D. Rastogi, A.S.G. assisted by
Mr. C.S. Sinha,
Mr. Akshay Bhardwaj,
Mr. Aneesh Khandelwal,
Mr. Devesh Yadav,
Mr. M.L. Goyal on behalf of
Mr. Susan Mathew,
Mr. Shashwat Purohit,
Ms. Ritu Pareek on behalf of
Mr. Anand Sharma,
Mr. Harish Chandra Sharma,
Mr. Arvind Kumar Arora

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE INDERJEET SINGH

Order

19/12/2019

Liberty is granted to the petitioners if they so desire to amend the writ application to challenge the new policy of the State dated 14.11.2019.

Counsel for the petitioner is also at liberty to serve copy of the application on the State and other respondents and they in turn are at liberty to file reply if any by 08.01.2020. Rejoinder and affidavit if any be filed by 15.01.2020..

Matters be listed on 22.01.2020.

In the course of further hearing of the matters, we have called upon the learned Advocate General and counsel for the

petitioners and discussions have taken place but they could not reach on any conclusion.

In the light of the above and keeping in view the fact that the State of Rajasthan in its industrial policy intends to attract huge investments in the field of renewable energy, we are of the considered view that the resolution of the problems of the present petitioners amicably may be in the best interest of both the petitioners as well as in the State's larger interest of gardening further investment in renewable energy.

Consequently, we call upon the State through the learned Advocate General to consider constituting a high level committee at the earliest preferably within a period of one week from today and such committee may afford opportunity of hearing to representatives of the petitioners to try and work out a workable solution to the existing problems being highlighted in their petitions. For this purpose, we call upon the petitioners to nominate ten persons to represent them at this discussion. The result of such discussion will be intimated to this court by the learned Advocate General through an affidavit on 22.01.2020. The aforesaid directions are being passed without in any manner having impact on the merits of the case. The said committee is also directed to consider the prayer of some of the petitioners who claim that their payments due during the existence of the validity of the PPA and RE certificate during which the PPA was in force have not been paid and or released. It shall be open for such committee to consider the prayer and if found payable the same may be released along with necessary certificates.

Vide this order, the earlier order dated 23.09.2019 stands modified.

The aforesaid directions have been issued only on the basis that the Court is of the view that resolving the problem of the existing entrepreneurs pro petitioners would enable the State to attract further investments in the area of renewable energy.

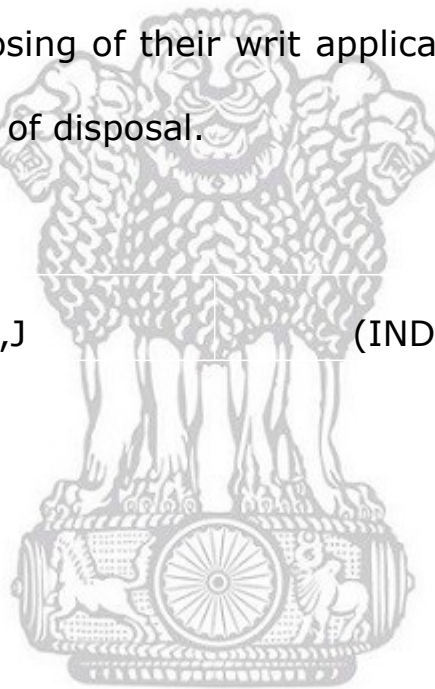
Some of the counsel appearing for the petitioners express an apprehension that even if RE certificates are not granted in the future they are likely to be elapsed in terms of Regulation 7 of the Regulations, 2010.

We may note here that in the event the petitioners succeed the Court while disposing of their writ applications would consider the same at the time of disposal.

(INDERJEET SINGH),J

(INDRAJIT MAHANTY),CJ

JYOTI /172-256 & 258.



सत्यमेव जयते