

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 328 OF 1999

POWER CRISES IN N.C.T. OF DELHI Petitioner(s)

VERSUS

U.O.I. & ORS Respondent(s)

(With appln(s) for directions and permission to submit additional document(s) and intervention and office report)

Date: 07/04/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Ranjit Kumar, Sr. Adv. (AC)

For Respondent(s)

NTPC

Mr. S.K. Dhingra, Adv.
Mrs. Shefali Mitra, Adv.

Ms. Indra Sawhney ,Adv

Ms. Kum Kum Sen ,Adv

Mr. Vishnu B. Saharya, Adv.
for M/s Saharya & Co.

Mr. Surya Kant, Adv

NCT of Delhi

Mr. A. Mariarputham, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Ms. Saima Bakshi, Adv.
Mr. Zaid Ali, Adv.
Mrs. Anil Katiyar, Adv.
Mr. D.S. Mahra ,Adv

BSES Rajdhani
BSES Yamuna

Ms. Manali Singhal, Adv.
Ms. Meera Mathur, Adv.

DHC

Mr. Annam D.N. Rao ,Adv.
Ms. Neelam Jain, Adv.

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Delhi Transco

Mr. Sanjiv Dubey, Adv.
Mr. Sanjay Misra, Adv.
Mrs. Sangita Chauhan, Adv.
Mr. Rakesh K. Sharma, Adv.

Mr. P.B. Suresh, Adv

Mr. Sanjay Sharawat, Adv.

NDPL

Mr. Amit Kapur, Adv.
Mr. Anupam Varma, Adv.
Ms. Dipika Kalia, Adv.
Mr. Pukhrambam Ramesh Kumar, Adv.

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

An additional affidavit on behalf of the Government of NCT of Delhi has been filed in Court today. A copy thereof has been supplied to the learned Amicus Curiae. In the affidavit, although the total number of traffic signals has been mentioned, but no information with regard to the source of power and metering of such supply has been furnished.

We are dismayed to note that affidavit in terms of our earlier orders has not been filed on behalf of New Delhi Municipal Corporation ('NDMC'). We grant one more opportunity to the NDMC to do the needful, failing which, we shall be constrained to summon the Secretary, NDMC to appear in Court in person and assist us in passing appropriate orders.

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It is pointed out by learned counsel appearing on behalf of the BSES Rajdhani Power Limited that the Damodar Valley Corporation is not supplying the committed quantity of electricity. Besides, we also find from various affidavits that the said Corporation has not been able to complete the projects awarded to it on time, resulting in short supply of electricity in the city. Under the circumstances, we feel that it would be expedient to implead M/s Damodar Valley Corporation as party respondent in these proceedings. It is ordered accordingly. Learned counsel appearing for Union of India undertakes

to furnish complete correspondence address of the
said Corporation to the office within a week,
whereafter notice shall issue. In the meantime,
we direct the Government of NCT of Delhi to file
an affidavit detailing the steps taken by it to
ensure that the committed quantity of electricity
is received from the said Corporation.

We would request the learned Amicus Curiae
to suggest as to what further measures/steps
should be taken to ensure that there is no
shortage of power supply in Delhi in the ensuing
summer season.

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The requisite affidavits by the Government
of NCT of Delhi and the NDMC shall be filed
within four weeks from today.

List for further directions on 5th May,
2011 at 3.00 p.m.

(VINOD LAKHINA)
Court Master

(KUSUM GULATI)
Court Master