

ITEM NO.41

COURT NO.5 SECTION PIL  
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 intervention and permission to submit additional document(s) and office report)

Date: 24/01/2011 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.  
M/s Saharya & Co. ,Adv

Mr. Surya Kant, Adv

NCT of Delhi

Mr. A. Mariarputham, Sr. Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Mukesh Verma, Adv.  
Mrs. Anil Katiyar, Adv.  
Mr. D.S. Mahra ,Adv

BSES Rajdhani

BSES Yamuna

Ms. Manali Singhal, Adv.  
Mr. Santosh Sachin, Adv.  
Mr. Abhijat P. Medh, Adv.

DHC

Mr. Annam D.N. Rao ,Adv

Delhi Transco

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

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Mr. P.B. Suresh, Adv

Ms. Meera Mathur ,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

Having perused the additional affidavit filed on behalf of the Government of NCT of Delhi on 13th October, 2010, we find that the targets fixed for commissioning and the dates of commercial operations of the generating projects have not been adhered to. The main cause for the delay in execution of the projects is attributed to delay of supply of equipments and erection by the BHEL. It is not clear from the affidavit as to what action is proposed to be taken against BHEL for delay in supply of the equipments, etc.

Mr. A. Mariarputham, learned Senior Counsel appearing for the Government of NCT of Delhi has given us some revised dates for commissioning of coal based station at Jhajjar (Haryana) as also for CCGT Project, Pragati-III, Bawana, Delhi. We are not fully satisfied with the explanation furnished for delay in execution of various projects.

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Under the circumstances, we are constrained to direct the Joint Secretary (Power), Government of NCT of Delhi to appear in Court in person on the next date and assist us in making appropriate orders so that the erection and commissioning of various generating projects is expedited. It will be open to the Joint Secretary to take the assistance of the Chief Engineer at the time of hearing of the case.

List of 17th February, 2011 at 3.00 p.m.

In the meantime, fresh affidavit

indicating the latest status of various projects  
shall be filed.

(VINOD LAKHINA)  
Court Master

(KUSUM GULATI)  
Court Master