

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. 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: 19/10/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE Anil R. DAVE
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

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

For Respondent(s)

NTPC

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

Ms. Indra Sawhney, Adv

Ms. Kum Kum Sen, Adv

DDA

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

Mr. Rakesh Kumar Khanna, Sr. Adv.

Dr. Rashmi Khanna, Adv.

Mr. Surya Kant, Adv.

Mr. Pranav Vyas, Adv.

Mr. Dushyant Prashar, Adv.

Ms. Seema Rao, Adv.

Ms. Purnima Jauhari, Adv.

NCT of Delhi

Mr. S. Wasim A. Qadri, Adv.

Ms. Mukesh Verma, Adv.

Mr. Zaid Ali, Adv.

Mrs. Anil Katiyar, Adv.

Mr. D.S. Mahra, Adv

Mr. Arvind K Sharma, Adv.

BSES Rajdhani

Mr. Shyam Divan, Sr. Adv.

BSES Yamuna

Ms. Manali Singhal, Adv.

Ms. Meera Mathur, Adv.

DHC

Mr. Annam D.N. Rao, Adv.

..2/-

: 2 :

Delhi Transco

Mr. Sanjiv Dubey, Adv.

Mr. Sanjay Misra, Adv.

Ms. Aroma S. Bhardwaj, Adv.

Mr. Rakesh K. Sharma, Adv.

Mr. P.B. Suresh, Adv.

Delhi Cantonment

Mr. Parijat Sinha, Adv.

Board

Ms. Reshmi Rea Sinha, Adv.

Mr. R. Nanavati, Adv.

Mr. Vikram Ganguly, Adv.
Mr. S.C. Ghosh, Adv.

MCD
Mr. Sanjiv Sen, Adv.
Mr. P. Parmeswaran, Adv.
Mr. Ujjal Banerjee, Adv.

Mr. Sanjay Sharawat, Adv.

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

rr. 11
(Damodar Valley
Corporation)
Mr. M.G. Ramchandran, Adv.
Mr. Swetketu Mishra, Adv.
Mr. Siddhartha Chowdhury, Adv.

NDPL
Dr. A.M. singhvi, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Anupam Varma, Adv.
Mr. Pukhrambam Ramesh Kumar, Adv.
Ms. Deepika Kalia, Adv.

Mr. Tarun Johri, Adv.

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

I.A. No. 4

Mr. Shyam Divan, learned senior counsel appearing on behalf of BSES Rajdhani Power Ltd. and BSES Yamuna Power Ltd. submits that because of the precarious financial position with regard to the cash flow with the said companies, created on account of delay on the part of the Regulatory Commission in fixing the tariff for different financial years, the said companies are not in a position to make payments to the applicant- the Damodar Valley Corporation. On a pointed query by the Court as to how and when the said companies propose to liquidate their liabilities

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towards the said Corporation for supply of electricity, learned senior counsel submits that he is not in a position to make any statement as the officer present in court is not authorized to make any statement in that behalf. It is pointed out that it is only the chief Financial Officer, who can make statement in this regard.

Under the circumstances, we direct the Chief Financial officers of both the companies to appear in Court in person on 20.10.2011 to enable us to make appropriate orders on the application.

List the case on 20.10.2011 at 3.00 p.m.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master