

ITEM NO.301

COURT NO.13

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 4906/2015

BSES RAJDHANI POWER LTD.

Appellant(s)

VERSUS

DELHI ELECTRICITY REGULATORY, COMMISSION

Respondent(s)

IA No. 1/2015 - additional documents  
IA No. 10595/2022 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 137927/2023 - INTERLOCUTARY APPLICATION  
IA No. 10593/2022 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

WITH

C.A. No. 7910/2011 (XVII)

C.A. No. 280/2012 (XVII)

CONMT.PET.(C) No. 141/2014 In W.P.(C) No. 328/1999 (PIL-W)  
( FOR ON IA 1/2014)

C.A. No. 4343/2014 (XVII)  
( FOR [PERMISSION TO FILE ANNEXURES] ON IA 2/2014  
IA No. 2/2014 - PERMISSION TO FILE ANNEXURES)

W.P.(C) No. 104/2014 (X)  
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 145037/2022  
IA No. 145037/2022 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 105/2014 (X)  
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 145051/2022  
IA No. 145051/2022 - APPROPRIATE ORDERS/DIRECTIONS)

C.A. No. 4012/2014 (XVII)  
( FOR EX-PARTE STAY ON IA 1/2014  
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 2/2014  
IA No. 1/2014 - EX-PARTE STAY  
IA No. 2/2014 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 4011/2014 (XVII)  
( FOR EX-PARTE STAY ON IA 1/2014  
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 2/2014  
IA No. 1/2014 - EX-PARTE STAY  
IA No. 2/2014 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 4013/2014 (XVII)

( FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA  
1/2014  
IA No. 1/2014 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 4010/2014 (XVII)  
( FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA  
1/2014  
IA No. 1/2014 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 5845/2014 (XVII)

C.A. No. 8387-8389/2014 (XVII)  
( FOR EX-PARTE STAY ON IA 4/2014  
IA No. 4/2014 - EX-PARTE STAY)

C.A. No. 8464-8466/2014 (XVII)  
( FOR STAY APPLICATION ON IA 4/2014  
IA No. 4/2014 - STAY APPLICATION)

CONMT.PET.(C) No. 83/2015 In W.P.(C) No. 104/2014 (X)  
(FOR ON IA 1/2015  
FOR ON IA 2/2015  
IA No. 62371/2019 - APPROPRIATE ORDERS/DIRECTIONS)

CONMT.PET.(C) No. 59/2015 In W.P.(C) No. 105/2014 (X)  
IA No. 62373/2019 - APPROPRIATE ORDERS/DIRECTIONS)

CONMT.PET.(C) No. 60/2015 In W.P.(C) No. 105/2014 (X)  
( FOR ON IA 1/2015)

CONMT.PET.(C) No. 84/2015 In W.P.(C) No. 104/2014 (X)  
( FOR ON IA 1/2015)

C.A. No. 8660-8661/2015 (XVII)

C.A. No. 4879/2015 (XVII)  
IA No. 1/2015 - STAY APPLICATION)

C.A. No. 4933/2015 (XVII)

C.A. No. 6959-6960/2015 (XVII)  
( FOR STAY APPLICATION ON IA 3/2015  
IA No. 3/2015 - STAY APPLICATION)

C.A. No. 6169/2015 (XVII)  
(FOR)

CONMT.PET.(C) No. 822/2016 In CONMT.PET.(C) No. 83/2015 In W.P.(C)  
No. 104/2014 (X)

CONMT.PET.(C) No. 821/2016 In CONMT.PET.(C) No. 59/2015 In W.P.(C)  
No. 105/2014 (X)

CONMT.PET.(C) No. 826/2016 In CONMT.PET.(C) No. 84/2015 In W.P.(C) No. 104/2014 (X)

CONMT.PET.(C) No. 827/2016 In CONMT.PET.(C) No. 60/2015 In W.P.(C) No. 105/2014 (X)

C.A. No. 12/2020 (XVII)

C.A. No. 1762/2020 (XVII)

(FOR STAY APPLICATION ON IA 20418/2020  
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 27572/2020  
IA No. 27572/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES  
IA No. 20418/2020 - STAY APPLICATION)

C.A. No. 2929/2020 (XVII)

(FOR STAY APPLICATION ON IA 74447/2020  
IA No. 74447/2020 - STAY APPLICATION)

C.A. No. 4899-4900/2021 (XVII)

(IA No.102683/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.102682/2021-STAY APPLICATION and IA No.110591/2021-PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS and IA No.110600/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 1005/2021 (X)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 164759/2022  
IA No. 164759/2022 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 20-11-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE SANDEEP MEHTA

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Mr. Lalima Das, Adv.

Mr. Subhash Chandran K. R., Adv.

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Ms. Bhavana Duhoon, AOR

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

Writ Petition Nos.104, 105/2014 & 1005/2021 and Civil Appeal Nos.  
4010 & 4013 of 2014

1. Govt. of NCT of Delhi was to inform us about the decision with respect to the subsidies that are provided and the consequent creation of the "Regulatory Asset". Mr. Shadan Farasat, learned senior counsel appearing on behalf of Govt. of NCT of Delhi has

expressed certain difficulties which we would want the State Government to put in the form of an affidavit indicating the circumstances in which the necessary information about the policy decision cannot be taken.

2. Let the affidavit be filed within four weeks from today.

3. In our previous order, all the State Governments and the State Regulatory Commissions were impleaded as we felt that their presence is necessary for determining the principles that should govern the problem of creation and continuation of a "Regulatory Asset" for long period. The State Governments as well as the Regulatory Commissions may express their views on the matter in the form of affidavit/statements within a period of four weeks from today.

4. List these matters on 09.01.2025

(KAPIL TANDON)  
COURT MASTER (SH)

(NIDHI WASON)  
COURT MASTER (NSH)