

ITEM NO.802

COURT NO.14

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4906/2015

BSES RAJDHANI POWER LTD.

Appellant(s)

VERSUS

DELHI ELECTRICITY REGULATORY, COMMISSION

Respondent(s)

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

Date : 23-10-2024 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s)

Mr. Amit Kapur, Adv.
Mr. Anupam Varma, Adv.
Mr. Rahul Kindra, Adv.
Mr. Aditya Ajay, Adv.
Mr. Karun Sharma, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Shri Venkatesh, Adv.
Mr. Nitin Saluja, AOR
Mr. Ashutosh Srivastava, Adv.
Mr. Nihal Bhardwaj, Adv.

For Respondent(s)

Mr. Siddharth Dave, Sr. Adv.
Mr. Shadan Farasat, Sr. Adv.
Mr. Abhishek Vikar, AOR

Mr. S. Wasim A. Qadri, Sr. Adv.
Mr. Sachin Gupta, Adv.
Mr. Saeed Qadri, Adv.

Ms. Pritha Srikumar Iyer, AOR

UPON mentioning 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. The issue arising for consideration relates to incessant creation and continuation of a "Regulatory Asset" during tariff determination by the Electricity Regulatory Commissions. As this is a recurring problem having serious implications on Electricity Sector. Before interpreting the law and issuing consequent directions, we consider it appropriate that States and State Regulatory Commissions should be heard. We hereby implead all the States and the State Regulatory Commissions and issue notices to them.

2. Registry is directed to amend the cause title accordingly and issue notices to the respective States and State Regulatory Commissions.

3. The appellants will also serve soft copies of the appeal(s)/writ petition(s) on the Standing Counsel for the respective States and Regulatory Commissions.

4. In the meanwhile, list Writ Petition Nos.104, 105/2014 & 1005/2021 and Civil Appeal Nos. 4010 & 4013 of 2014 on 06.11.2024 only for considering the response of the Govt. of NCT of Delhi on the issue of the subsisting regulatory asset.

(INDU MARWAH)
AR-cum-PS

(NIDHI WASON)
COURT MASTER (NSH)