

ITEM NO.101

COURT NO.14

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)

([GROUP MATTER] [RETAIN ITS POSITION] [PART HEARD BY : HON'BLE
PAMIDIGHANTAM SRI NARASIMHA AND HON'BLE SANDEEP MEHTA, JJ.]

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. 280/2012 (XVII)

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. 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)

W.P.(C) No. 104/2014 (X)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 145037/2022)

C.A. No. 4010/2014 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
1/2014)

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

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

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)

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)

C.A. No. 2929/2020 (XVII)
(FOR STAY APPLICATION ON IA 74447/2020)

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)

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

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)

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)

C.A. No. 4013/2014 (XVII)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
1/2014)

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

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

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

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

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

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

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

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)

Date : 26-09-2024 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. Shyam Gopal, Adv.
Mr. Chinmayee Chandra, Adv.
Mr. Rajat Nair, Adv.
Mr. Ishaan Sharma, Adv.

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

1. Heard Mr. Kapil Sibal, learned senior counsel and Mr. Amit Kapur, learned counsel for BSES Rajdhani Power Limited (BRPL) and BSES Yamuna Power Limited (BYPL) as assisted by Mr. Pukhrambam Ramesh Kumar, AOR. We also heard Dr. Singhvi, learned senior counsel and Mr. Venkatesh, learned counsel for Tata Power Delhi Distribution Limited (TPDDL) primarily on the issue of legality and propriety of continuation of Regulatory Assets beyond proportion.
2. We have heard Mr. R. Venkatramani, learned Attorney General, for the generating companies, Mr. K.M. Nataraj, learned ASG for the Union of India and Mr. Nikhil Nayyar, learned senior counsel for the Regulatory Commission.

3. At the request of Mr. Siddhartha Dave and Mr. Shadan Farasat, learned senior counsels for Govt. of NCT of Delhi, we are adjourning the matter to 23.10.2024 to consider the submissions on behalf of the Govt. of NCT of Delhi.

4. We will commence hearing in C.A. No. 7910 of 2011 and batch of appeals on the next date of hearing as per the categories II and III given by Mr. Nikhil Nayyar.

5. W.P.(C) 104, 105 of 2014, 1005 of 2021, C.A. No. 4010 and 4013 of 2014 shall be treated as part heard.

(RAJNI MUKHI)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)