

ITEM NO.11

COURT NO.6

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). 5399-5400/2016

ENERGY WATCHDOG

Appellant(s)

VERSUS

CENTRAL ELECTRICITY REGULATORY COMMISSION AND
ORS. ETC.

Respondent(s)

(With appln. (s) for exemption from filing c/c of the impugned judgment and permission to place Addl. documents on record and stay and office report)
(for final disposal)

WITH C.A. No. 5347/2016

(With appln.(s) for directions and exemption from filing c/c of the impugned judgment and permission to file additional documents and Office Report)

C.A. No. 5348/2016

(With appln.(s) for directions and permission to file additional documents and Office Report)

C.A. No. 5364/2016 (With Office Report)

C.A. No. 5346/2016

(With appln.(s) for directions and exemption from filing c/c of the impugned judgment and permission to file additional documents and Office Report)

C.A. Nos. 5351-5352/2016

(With appln.(s) for exemption from filing c/c of the impugned judgment and ex-parte stay and Office Report)

C.A. No. 5415/2016

(With appln.(s) for stay and Office Report)

C.A. Nos. 9643-9644/2016

(With Office Report)

C.A. Nos. 9635-9642/2016

(With Office Report)

C.A. No. 9035/2014

(With appln. (s) for directions and intervention and office report)

T.P.(C) No. 393/2017 (With office report)

T.P.(C) Nos. 406-408/2017 (With office report)

T.P.(C) Nos. 388-392/2017 (With office report)

Date : 30/03/2017 These appeals and petitions were called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

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Mr. Tushar Bakshi, AOR

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Ms. Prerna Singh, Adv.

Mrs. D. Bharathi Reddy, Adv.
Ms. Vidyottama, Adv.

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

We have heard Mr. Mukul Rohtagi, learned Attorney General, Mr. Tushar Mehta, learned ASG, Mr. Kapil Sibal, Mr. C.S. Vaidyanathan learned Senior Counsel and Mr. M.G. Ramachandran, Mr. Prashant Bhushan, learned Counsel appearing for the parties at considerable length.

Hearing concluded.

Judgment reserved.

Liberty is granted to learned counsel appearing for the parties to file written submissions within a period of one week from today.

C.A. Nos. 9643-9644/2016, T.P.(C) No. 393/2017, T.P.(C) Nos. 406-408/2017 and T.P.(C) Nos. 388-392/2017:

Let these matters be de-tagged.

(R. NATARAJAN)
Court Master

(SNEH LATA SHARMA)
Court Master

Books cited:-

The Electricity Act, 2003
The Indian Contract Act, 1872
(2016) 7 SCC 703 (paras 41 & 55)
(2009) 16 SCC 659 (paras 76,77 & 108)
(2010) 4 SCC 603 (Paras 19, 55, 65 & 66)
AIR 1965 SC 669 (Paras 17 & 18)
[1967] 2 SCR 476 (Paras 10 & 11)
(2004) 3 SCC 214 (Paras 35, 36 & 37)
(2003) 9 SCC 606 (Paras 9 to 12)