

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

M.A. Nos.2705-2706 of 2018

In

Civil Appeal Nos.5399-5400 of 2016

Energy Watchdog

Appellant(s)

Versus

Central Electricity Regulatory Commission
and Others

Respondent(s)

O R D E R

Having heard learned counsel for the parties, including the learned Attorney General appearing for the State of Gujarat, we allow the application for impleadment of the State of Gujarat. We are of the view that, having perused the High Power Committee's report, which was given after our judgment dated 11th April, 2017, it will be open to the applicants to approach the Central Electricity Regulatory Commission (C.E.R.C.) for approval of the proposed amendments to be made to the Power Purchase Agreements (PPAs) in question.

We make it clear that our judgment will not stand in the way of maintaining such applications. We also make it clear that each of the consumer groups, who had appeared

before us and who have appeared before us today, will be heard on all objections that they may make to the proposed amendments to the PPA, after which, it will be open to the C.E.R.C. to decide the matter in accordance with law. Given the conclusions in the High Power Committee report, we are of the view that the C.E.R.C. should decide this matter as expeditiously as possible, and definitely within a period of eight weeks from today.

The miscellaneous applications are disposed of accordingly.

Pending applications, if any, stand disposed of.

.....J.
[Rohinton Fali Nariman]

.....J.
[Navin Sinha]

New Delhi
October 29, 2018.

ITEM NO.52+54

COURT NO.8

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

M.A. Nos.2705-2706/2018 in Civil Appeal Nos.5399-5400/2016

ENERGY WATCHDOG

Petitioner(s)

VERSUS

CENTRAL ELECTRICITY REGULATORY COMMISSION & ORS.

Respondent(s)

(With appln.(s) for permission to file impleadment and directions and clarifications)

WITH Contempt Petition (Civil) Diary No.39296/2018

(With appln.(s) for permission to file conempt petition)

Date : 29-10-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. K.K. Venugopal, AG
Mr. Mukul Rohatgi, Sr. Adv.
Ms. Hemantika Wahi, AOR
Ms. Jesal Wahi, Adv.
Ms. Puja Singh, Adv.
Ms. Vishakha, Adv.

D.No.39296/2018 Mr. V. Shekhar, Sr. Adv.
Mr. Pankaj Sharma, Adv.
Mr. Shobhit Gaur, Adv.
Mr. Prithviraj Singh, Adv.
Mr. Sashank Shekhar, Adv.
Mr. Manjeet Kirpal, AOR

For Respondent(s) Dr. A.M. Singhvi, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Abhishek Munot, Adv.
Mr. Kunal Kaul, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. K. Amrit Kumar Sharma, Adv.

Mr. Nikhil Nayyar, AOR
Mr. N. Sai Vinod, Adv.
Mr. Dhananjay Baijal, Adv.
Mr. Divyanshu Rai, Adv.
Mr. Naveen Hegde, Adv.

Mr. G. Umapathy, Adv.
Mr. Rakesh K. Sharma, Adv.
Mr. Aditya Singh, Adv.

Ms. Ashwati Balraj, Adv.
Mrs. Manik karanjawala, Adv.
M/s. Karanjawala & Co.

Mr. V. Giri, Sr. Adv.
Mr. K.V. Mohan, Adv.

Mr. Anand K. Ganesan, Adv.
Mr. Nikunj Dayal, Adv.
Mr. Pramod Dayal, Adv.
Mr. Payal Dayal, Adv.

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Ms. Neeha Nagpal, Adv.
Ms. Poonam Verma, Adv.
Mr. Malav Deliwala, Adv.
Mr. Abiha Zaidi, Adv.
Mr. E.C. Agrawala, Adv.

Mr. Sanjay Kapur, AOR
Ms. Megha Karnwal, Adv.
Ms. Sheena Taqui, Adv.
Ms. Mansi Kapur, Adv.

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

M.A. Nos.2705-2706/2018 in Civil Appeal Nos.5399-5400/2016

The miscellaneous applications are allowed in terms
of the signed order.

Pending applications, if any, stand disposed of.

Contempt Petition (C) Diary No.39296 of 2018 In
Civil Appeal Nos.5399-5400 of 2016

In view of the order passed in M.A. Nos.2705-2706 of 2018, permission to file contempt petition is rejected.

(Chetan Kumar)
A.R.-cum-P.S.

(Tapan Kumar Chakraborty)
Court Master

(Signed order is placed on the file)