



Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.

No. F.11(2120)/DERC/2023-24/7821

Petition No. 32 of 2023

In the matter of : **Petition under Section(s) 63 and 86(1)(b) and other applicable provisions of the Electricity Act, 2003 for approval of the Notice inviting tender and the bidding process to be initiated under the request for proposal for “setting up of Municipal Solid Waste (MSW) to energy at Ghazipur, East Delhi” by Municipal Corporation of Delhi.**

Municipal Corporation of Delhi

.... Petitioner

Vs.

BSES Rajdhani Power Ltd. & Ors.

... Respondents

Coram:

Hon'ble Justice (Retd.) Jayant Nath, Chairperson

Appearance:

1. Mr. Anand K. Ganeshan, Advocate, MCD
2. Mrs. Swapna Seshadri, Advocate, MCD
3. Mr. Utkarsh Singh, Advocate, MCD
4. Ms. Sneha Singh, Advocate, MCD

Record of Proceedings

(Date of Hearing: 21.03.2024)

(Date of Order: 21.03.2024)

1. It has been pointed out to the Learned Counsel for the Petitioner that the Hon'ble APTEL has, by Order dated 31.08.2023 in Appeal No. 245 and 247 of 2023 (Gagan Narang vs DERC), held that the DERC lacks jurisdiction to entertain and adjudicate upon the Petition filed by MCD.
2. Learned Counsel for the Petitioner, however, submits that the matter is pending adjudication before the Hon'ble Supreme Court and is likely to come up for hearing in the month of April'2024. Hence, he requests that the matter be taken up after some time. It is ordered accordingly.

Sd/-

**(Justice (Retd.) Jayant Nath)
Chairperson**