



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.**  
F.11(2028)/DERC/2022-23/7528

**IA No. 6/2022**  
**Along with**  
**Petition No. 51/2022**

**In the matter of :** Application for seeking ad interim ex parte stay of the Operation of the process impugned tender process and for passing appropriate directions u/S 151 of the Code of Civil Procedure, 1908 along with Petition seeking declaration that the Request for Proposal (RFP) dated 15.07.2022 issued by the Municipal Corporation of Delhi for setting up of Municipal Solid Waste to Energy facility at Narela Bawana, Delhi, is violative of the Electricity Act, 2003 and the National Tariff Policy, 2016 and for appropriate directions.

**Waste to Energy Research & Technology Council**

**...Petitioner**

**Versus**

**Municipal Corporation Delhi**

**....Respondent**

**Coram:**

**Hon'ble Shri Justice Shabihul Hasnain 'Shastri', Chairperson**

**Hon'ble Dr. A. K. Ambasht, Member**

**Appearance:**

- 1. Mr. Sanjay Sen, Sr. Advocate, WtE Research & Technology Centre**
- 2. Ms. Mandakini Ghosh, Adv., WtE Research & Technology Centre**

**ORDER**

(Date of Hearing: 15.11.2022)

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1. Heard Mr. Sanjay Sen, Senior Advocate for the Petitioner and Ms. Swapna Seshadri for MCD. It has been submitted that by the Petitioner's Counsel that the matter has become infructuous as the Notice for Inviting Tender has been withdrawn by the MCD. Hence, the matter is no more justifiable before this Court. The present Petition along with the pending IAs stands dismissed as having rendered infructuous.
2. However, the new tender has been challenged by the Petitioner but since the Court Fee has been paid very late, so to say on 11.11.2022, the date could not be fixed and the new Petition has not been placed before this Commission today. Mr. Sanjay Sen has submitted that it may be listed at the earliest. Heeding to his request, list the new Petition on 06.12.2022.

**Sd/-**  
**(Dr. A.K. Ambasht)**  
**Member**

**Sd/-**  
**(Justice Shabihul Hasnain 'Shastri)**  
**Chairperson**

**WEAR FACE MASK**

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