

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT

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Public Interest Litigation No.64 of 2014

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DATED:06.07.2015

Between:

Janapalana Party
Represented by its Convener,
Palem Srikanth Reddy,
Hyderabad.

... Petitioner

And

The State of Andhra Pradesh,
Represented by its Secretary
Energy Department,
Hyderabad and others.

....Respondents

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PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard Mr.C.B. Ram Mohan Reddy, learned Counsel for the petitioner; learned Government Pleader for Energy for respondent No.1; Sri B. Narayana Reddy, learned Assistant Solicitor General for respondent Nos. 2,3 and 4; Mr. V.K. Naidu for respondent No.11 and the learned Standing Counsels for respondent Nos.12 and 13.

In this Public Interest Litigation, the petitioner seeks the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ/Order/s more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondent Nos. 1 to 4 in allocating gas explored from the KG Basin, off the coast of State of Andhra Pradesh, by the respondent No.11, to the State of Andhra Pradesh, as being illegal, arbitrary and unconstitutional and consequently direct the respondent No.1 to take appropriate steps for allocation of gas from the KG Basin, off the coast of State of Andhra Pradesh, to the State of Andhra Pradesh and be pleased to pass such other order/s as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

In reply to the petition, the third respondent in their counter affidavit, in paragraph-7 thereof, made a categorical statement that there is no policy of allocating domestic gas to individual States. Similarly, the petitioner has also placed on record, a letter dated 5.6.2015, received by him in response to the RTI query made by him, stating that

presently there is no policy of allocating domestic gas to individual States.

In view thereof, learned counsel for the petitioner does not press this Public Interest Litigation, on merits, and seeks liberty to the petitioner to approach the Government of India to take a policy decision of allocating domestic gas to individual States. He submits that it is high time for the Government of India to take such decision, since the power plants in the State of Andhra Pradesh have become defunct, in view of either short supply of gas or non-supply of gas.

Having considered the submissions made by the learned counsel for the petitioner, we dispose of this petition by the following order:

“It s open to the petitioner to approach the concerned department of the Government of India, requesting them to take a policy decision of allocating domestic gas to individual States. If any such representation is made, we hope and trust that the concerned Department shall consider the same in proper perspective.”

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

**S.V. BHATT,
J**

6th July, 2015

Pnb

