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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7482/2017 & CM No.30819/2017

D B POWER LIMITED

..... Petitioner

Through: Mr Deepak Khurana, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Mr Kirtiman Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **12.12.2017**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(i) Call for the records of the Case;

(ii) Issue a writ of mandamus or any other appropriate writ, order, or direction to the Respondent, directing it to take appropriate measures so as to ensure that the Wholesale Price Index (WPI) of Non-Coking Coal for the period between January, 2012 to March, 2013 is revised forthwith, based on the actual Coal India Limited (CIL) price Notification No.CIL:S&M:GM(F):Pricing: 1965 dated 31.01.2012, which was in force during that period.”

2. Essentially, the grievance of the petitioner is that Wholesale Price Index (WPI) of Non-Coking Coal for the period January, 2012 to March, 2013 has not been revised and this has adversely affected the amount realised from supply of electricity.

3. In the affidavit filed on behalf of the respondent, it has been affirmed that the respondent had constituted a Inter Ministerial Committee headed by Secretary, DIPP with representatives from the Ministry of Power and Ministry of Coal on 30.06.2017 to examine the anomalies in the Wholesale Price Index for the period January, 2012 to February, 2013 and the Committee was in the process of finalizing its recommendations.
4. Mr Kirtiman Singh, learned counsel for the respondent now submits that the Inter Ministerial Committee had given its recommendations and had recommended that the office of the Economic Adviser, consider revising the indices for Non Coking Coal for the period of January, 2012 to February, 2013 as per the correct revised prices notified by the Coal India Limited on 31.01.2012. He states that, accordingly, the indices for Non Coking Coal for the said period have been revised and the same has been communicated to the CERC on 05.12.2017 for issuance of the necessary notification in this regard.
5. In view of above statement, the grievance of the petitioner stands addressed and, therefore, no further orders are required to be passed in this petition.
6. The petition alongwith the application is, accordingly, disposed of.

VIBHU BAKHRU, J

DECEMBER 12, 2017
MK