

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1562 OF 2019

IN

WRIT PETITION NO. 12697 OF 2018

Ratnagiri Wind Power Projects Pvt Ltd ...Petitioner

Versus

Government of Maharashtra through Secretary, ...Respondents
Energy Department & Ors

WITH

WRIT PETITION NO. 390 OF 2019

MSPL Ltd ...Petitioner

Versus

The State of Maharashtra, Mantralaya & Ors ...Respondents

AND

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1972 OF 2019

National Solar Energy Federation of India ...Petitioner

Versus

Maharashtra Electricity Regulatory Commission ...Respondents
& Anr

AND

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2116 OF 2019

Clean Wind Power (Satara) Pvt Ltd ...Petitioner
Versus
Maharashtra Electricity Regulatory Commission ...Respondents
& Ors

AND

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 2245 OF 2019

CLP Wind Farms (India) Pvt Ltd & Ors ...Petitioners
Versus
Maharashtra Electricity Regulatory Commission ...Respondents
& Ors

Mr Milind Sathe, Senior Advocate, *i/b Dipali Sheth and Priya Pandey of Eternity Legal, for the Pe/titioners in WP/390/19.*
Mr Bimal Rajsekhar, *for the Petitioner in WP/12697/2018.*
Mr Arijit Maitra, *i/b Madhusudan G Gawde, for the Petitioner in WP/1972/2019.*
Ms Vaidehi Naik, *with Bitika Kaur, i/b Neeti Niyaman, for the Petitioner in WP/2116/2019 & WPL/2245/2019.*
Mr Ashutosh A Kumbhakoni, Advocate General, *with Ratnakar Singh, for Respondent-MERC in all the matters.*
Mr Abhijeet Joshi, *for Respondent-MSLDC in all the matters & for Respondent No. 5 in WP/390/2019 and for Respondent No. 3 in WP/12697/2018.*
Ms Nidhi Chheda, *for Respondent No. 3 (MSEDCL) in WP/2116/2019 & WPL/ 2245/2019 and for Respondent No. 6 in WP/390/2019.*
Dr Mrs Kirti R Kulkarni, AGP, *for the Respondent Nos. 1 to 3-State in WP/390/2019 and for Respondent No. 1 in WP/12697/2018.*

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ**
DATED: 21st August 2019

PC:-

1. After these Petitions were argued for some time and at this stage we were not inclined to interfere in our writ jurisdiction, each of the counsel appearing for the Petitioners in these Petitions, on the instructions from the Petitioners, seeks leave to withdraw the Writ Petition with liberty to approach the Regulatory Commission.
2. The Writ Petitions are dismissed as withdrawn with liberty as prayed.
3. Needless to clarify that should the law enact provisions enabling the commission to revisit the regulations or modify them or defer their implementation, then, such reliefs can always be claimed when the party approaches the Commission.
4. In view of this, Civil Application No. 1562 of 2019 does not survive and is disposed of accordingly.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)