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

+ W.P.(C) 8136/2017

**CENTRE FOR PUBLIC INTEREST LITIGATION
AND ANR**

.... Petitioners

Through: Mr. Prashant Bhushan, Senior
Advocate with Ms. Neha Rathi and
Ms. Kajal Giri, Advocates.

versus

UNION OF INDIA AND ORS

.... Respondents

Through: Mr. Ravi Prakash & Mr. Ali Khan,
Advocates for UOI.
Ms. Charu Sharma for Mr. Aditya
Singla, Sr. Standing Counsel, CBIC
for DRI.
Mr. Nikhil Goel, SPP alongwith
Ms. Siddhi Gupta, Adv. for CBI.
Mr. Rajiv Nayar & Mr. Vikram
Nankani, Sr. Advs. with Mr. Mahesh
Agarwal, Mr. Rishi Agarwal,
Ms. Devika Mohan, Mr. Arshit Anand,
Mr. Ankit Banati, Mr. Shriram
Niranjan, Mr. Abhay Agnihotri,
Mr. Tarini Khurana, Mr. Vikram
Choudhary & Mr. Prabhav Bahuguna,
Advs. for Adani Power Ltd.

+ W.P.(C) 8401/2017
HARSH MANDER

..... Petitioner

Through: Mr. Sarim Naved, Mr. Saurabh Sagar
and Mr. Harsh Kumar, Advocates

versus

UNION OF INDIA AND ORS.

.... Respondents

Through: Mr. Ravi Prakash & Mr. Ali Khan,
Advocates for UOI.



Ms. Charu Sharma for Mr. Aditya Singla, Sr. Standing Counsel, CBIC for DRI.

Mr. Nikhil Goel, SPP alongwith Ms.Siddhi Gupta, Adv. for CBI.

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Mr.Rajiv Nayar & Mr.Vikram Nankani, Sr. Advs. with Mr.Mahesh Agarwal, Mr.Rishi Agarwal, Ms.Devika Mohan, Mr.Arshit Anand, Mr.Ankit Banati, Mr.Shraram Niranjana, Mr.Abhay Agnihotri, Mr.Tarini Khurana, Mr.Vikram Choudhary & Mr.Prabhav Bahuguna, Advs. for Adani Power Ltd.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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05.01.2024

CM APPL.697/2024 in W.P.(C) 8136/2017

CM APPL.689/2024 in W.P.(C) 8401/2017

1. The above-two captioned applications have been filed by the applicant/Adani Power Limited seeking recall of paragraph 52 of the judgment dated 19.12.2023.
2. During the course of hearing, learned senior counsel appearing for the applicant/Adani Power Limited has placed on record a copy of orders passed by the Hon'ble Supreme Court in Civil Appeal (Diary No.36519/2022) and Civil Appeal (Diary No.71/2023) whereby the appeal filed by the Commissioner of Customs (Import) against Adani Power Maharashtra Power Limited have been dismissed vide order dated 27.03.2023. It has been



brought to the notice of this Court that against the aforesaid order dated 23.03.2023, department has filed the review petition before the Hon'ble Supreme Court, which is pending adjudication. This factual position is not disputed by the other side.

3. Relevantly, this Court vide judgment dated 19.12.2023, in para 52 had passed a direction to the respondents to look into the allegations raised by the petitioner herein against the respondents, one of which is the present applicant-M/s Adani Power Limited. In view of the fact that review petition preferred by the department is subjudice before the Hon'ble Supreme Court; the directions passed by this Court in para 52 of judgment dated 19.12.2023 in respect of M/s Adani Power Maharashtra Limited and M/s Adani Power Rajasthan Limited (now M/s Adani Power Limited) are kept in abeyance awaiting outcome of the said review petitions.

4. In view of aforesaid, applications are disposed of.

CM APPLS.699/2024 & 702/2024 IN W.P.(C) 8136/2017

CM APPLS.692/2024 & 695/2024 IN W.P.(C) 8401/2017

5. In view of the above order passed in CM APPLs.697/2024 & 689/2024, present applications have become infructuous.

SURESH KUMAR KAIT, J

NEENA BANSAL KRISHNA, J

JANUARY 05, 2024/ab