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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.

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Mr.Rajiv Nayar & Mr.Vikram Nankani, Sr. Adv. 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, Adv. for Adanit 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**