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

+ **FAO(OS) 530/2015**

DELHI INTERNATIONAL AIRPORT PRIVATE LIMITED Appellant

Through: Mr Rajiv Nayar, Sr Advocate with Mr Manu
Nair, Ms Saanjh Purohit, Mr Sourabh Seth
and Mr Tanuj Bhushan

versus

SILVER RESORT HOTEL INDIA PRIVATE LIMITED Respondent

Through: Mr Parag Tripathi, Sr Advocate with
Mr Mayank Mishra, Mr Tishampati Sen,
Ms Roohina Dua and Mr Kunal Bahri

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **18.09.2015**

CAV 986/2015

The learned counsel for the respondent / caveator is present.

The caveat stands discharged.

CM Nos. 20293-94/2015 (exemptions)

The exemptions are allowed subject to all just exceptions.

FAO(OS) 530/2015 and CM No. 20291-92/2015

We are not entertaining this appeal at this stage because the matter is still alive before the learned Single Judge and the next date is only one court sitting day away i.e., on 22.09.2015. We are, however, recording the statement of the learned counsel for the appellant that they are not interested in the deposit of the money. It is their contention that the licence is terminable, it has been terminated and the same cannot be specifically enforced. The learned counsel for the appellant also would be pressing for

discontinuance of the interim direction requesting the appellant not to take any precipitative action. On the other hand, the learned counsel for the respondent submits that it is not a terminable agreement. All these matters will be considered by the learned Single Judge on 22.09.2015 and the case law which has been sought to be placed before us shall be placed before the learned Single Judge for his consideration. We have not consciously expressed any view on the merits of the matter because of the fact that the application under Section 9 of the Arbitration and Conciliation Act, 1996 is listed at a very short date, that is, on 22.09.2015.

The appeal stands disposed of in the aforesaid terms.

Dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

SEPTEMBER 18, 2015
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