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

+ ARB.P. 41/2016

ACTION BRIDEGAP CONSTRUCTIONS PVT LTD Petitioner
Through Mr.Manoj Chauhan, Adv. along with
Ms.Tanu Aggarwal, Adv.

versus

CONCAST INFRATECH LTD & ANR Respondents
Through Mr.Raman Kapur, Sr. Adv. with
Mr.Dhiraj Sachdeva, Adv.

+ O.M.P.(I) 124/2015

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Through Mr.Manoj Chauhan, Adv. along with
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Mr.Dhiraj Sachdeva, Adv.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **18.07.2016**

After hearing submissions of learned counsel for the respondents, learned counsel for the petitioner is agreeable to file both the abovementioned petitions before Calcutta High Court within six weeks from today and till that time the interim order dated 27th March, 2015 be

continued.

On the other hand, Mr. Kapur, learned Senior counsel appearing on behalf of the respondents submits that as far as the petition under Section 9 of the Arbitration and Conciliation Act, 1996 is concerned, the same is not maintainable as the bank guarantee in question is unconditional as stay order could not be passed on 27th March, 2015 as the grounds of the petition does not cover within the exceptions.

Without going into the merits of the cases, both the petitions are returned to the petitioner under Order VII Rule 10 CPC. All the objections raised by the respondents would be available when these petitions are filed before the Calcutta High Court.

Interim order to continue for next six weeks from today.

MANMOHAN SINGH, J.

JULY 18, 2016/vp