

\$~54

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

+ **O.M.P.(I) (COMM.) 123/2016 & IA No.25753/2015**

NTPC LIMITED

..... Petitioner

Through: Mr. Vikas Singh, Senior Advocate with
Mr. Mohit K. Shah & Mr. M.K. Jha,
Advocates.

versus

GAIL (INDIA) LIMITED & ORS.

..... Respondents

Through: Mr. Sanjay Jain, Senior Advocate with Mr.
Yoginder Handoo, Ms. Rhea Verma, Mr.
Nishant Kumar & Ms. Natasha Thakur,
Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER
25.10.2016

%

1. It is stated by Mr. Vikas Singh, learned Senior Advocate appearing for the Petitioner that in view of the judgment of the Supreme Court in *Northern Coalfields Limited v. Heavy Engineering Corporation Limited (2016) 8 SCC 685*, the Arbitration & Conciliation Act, 1996 ('Act') will not apply to the Permanent Machinery of Arbitration (PMA) and therefore, the Petitioner would have to seek remedies outside of the Act. He accordingly seeks leave to withdraw the petition with liberty to seek other appropriate remedies in accordance with law.

2. The petition and the application are dismissed as withdrawn with liberty to the Petitioner to seek other appropriate remedies in accordance with law.

3. At the oral request of Mr. Vikas Singh, the interim order passed by this Court on 5th August, 2015 is directed to continue till 3rd November, 2016.

4. It is made clear that the extension of the interim order dated 5th August, 2015 should not be construed as the expression of any opinion by this Court as far as the merits of the Petitioner's prayer for interim relief is concerned.

5. Order *dasti*.

OCTOBER 25, 2016
b'nesh

S. MURALIDHAR, J.