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

+ **O.M.P.(I) (COMM.) 223/2016**

GVK JAIPUR EXPRESSWAY PRIVATE LIMITED Petitioner

Through: Mr. Gopal Jain, Senior Advocate with Ms.
Abhisar Bairagi, Ms. Chinmayi Chandra &
Ms. Shreya Agarwal, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through: Mr. Arun K. Verma, Senior Advocate with
Mr. Vikas Goel, Mr. Abhishek Kumar &
Ms. Arushi Gupta, Advocates.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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04.11.2016

1. This petition under Section 9 of the Arbitration & Conciliation Act, 1996 ('the Act') has been pending since July, 2016 and no interim orders have been passed till date.

2. It was noted in the order dated 18th July, 2016 that the Petitioner had by a notice dated 25th May, 2016 invoked the arbitration clause. Mr. Arun Verma, learned Senior Advocate appearing for the Respondent states that the parties are in the process of constituting an Arbitral Tribunal and, in fact, it should have been constituted by now. If not already done, the Respondent will within a week from today communicate to the Petitioner its response to the request for constitution of the Arbitral Tribunal. On failure to do so, it will be open for the Petitioner to file an appropriate application in accordance with law for the constitution of the Arbitral

Tribunal.

3. The Court reserves the right of the parties to seek appropriate interim reliefs in accordance with law before the Arbitral Tribunal. The petition is disposed of in the above terms.

NOVEMBER 04, 2016

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S. MURALIDHAR, J.